

OFFICIAL JOURNAL  
OF THE  
**SENATE**  
OF THE  
STATE OF LOUISIANA

**FOURTEENTH DAY'S PROCEEDINGS**

**Thirty-First Extraordinary Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, April 17, 2002

The Senate was called to order at 9:00 o'clock A.M., by Hon. John Hainkel, President of the Senate.

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. President	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, C	Ullo
Fields	Lambert	
Total—35		

**ABSENT**

Boissiere	Marionneaux
Dean	Tarver
Total—4	

The President of the Senate announced there were 35 Senators present and a quorum.

**Prayer**

The prayer was offered by Senator Cravins, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Cravins, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Rules Suspended**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Bills and Joint Resolutions  
Returned from the House  
of Representatives with Amendments**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

**SENATE BILL NO. 61—**  
BY SENATORS BAJOIE AND JOHNSON  
AN ACT

To enact R.S. 13:2496.3, relative to the Municipal Court of New Orleans; to create the office of first appearance hearing officer; to authorize the judges of the court to appoint the hearing officer; to provide for qualifications for office; to provide for salary of office; to provide for duties of office; and to provide for related matters.

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Judiciary to Engrossed Senate Bill No. 61 by Senators Bajoie and Johnson

AMENDMENT NO. 1

On page 1, line 6, after "office;" and before "and" insert "to provide for a termination date of office;"

AMENDMENT NO. 2

On page 1, line 14, after "B." and before "The" insert "There shall be only one first appearance officer."

AMENDMENT NO. 3

On page 2, after line 17, insert the following:

"H. The provisions of this Section shall terminate and be of no effect after August 15, 2003, unless reenacted by the legislature prior to such date. The Judicial Council of the Supreme Court of Louisiana may evaluate and make recommendations as to the necessity of continuing the office of first appearance hearing officer for the Municipal Court of New Orleans."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Murray to Engrossed Senate Bill No. 61 by Senator Bajoie

AMENDMENT NO. 1

On page 2, line 1, after "court." delete the remainder of the line in its entirety

AMENDMENT NO. 2

On page 2, delete line 2 in its entirety

AMENDMENT NO. 3

On page 2, before "The" delete "is not in regular session."

Senator Bajoie moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	McPherson
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Bean	Hines	Romero
Cain	Hollis	Schedler
Campbell	Hoyt	Smith
Chaisson	Jones, C	Theunissen
Cravins	Lambert	Thomas
Dupre	Lentini	Ullo
Ellington	Malone	
Total—29		

NAYS

Total—0

ABSENT

Boissiere	Holden	Marionneaux
Dardenne	Irons	Tarver
Dean	Johnson	
Fields	Jones, B	
Total—10		

The Chair declared the amendments proposed by the House were concurred in. Senator Bajoie moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Rules Suspended

Senator C. Jones asked for and obtained a suspension of the rules for the purpose of taking up at this time.

House Concurrent Resolutions on Second Reading Reported by Committees

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 13— BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To authorize a task force established by the Louisiana Workforce Commission to study and make recommendations to certain standing legislative committees, the governor, and the boards and agencies responsible for the delivery or funding of workforce education and training or both, outlining the status of existing skills which will serve as the basis for setting goals and making recommendations for implementation of strategies, activities, and efforts to best prepare Louisiana students for success in the workplace while meeting the needs of businesses and industries across the state.

Reported with amendments by the Committee on Labor and Industrial Relations.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Engrossed House Concurrent Resolution No. HCR 13 by Representative Salter

AMENDMENT NO. 1

On page 2, line 22 after "House" and before "Committees" insert "and Senate"

AMENDMENT NO. 2

On page 3, between lines 25 and 26 insert the following:

"(16) The Executive Director of the Louisiana United Business Association."

AMENDMENT NO. 3

On page 4, line 1 after "House" and before "Committees" insert "and Senate"

AMENDMENT NO. 4

On page 4, line 6 after "House" and before "Committees" insert "and Senate"

On motion of Senator C. Jones, the committee amendment was adopted.

The resolution was read by title. Senator C. Jones moved to concur in the amended House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Michot
Bean	Hines	Mount
Campbell	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dupre	Johnson	Theunissen
Ellington	Jones, C	Thomas
Fields	Lambert	Ullo
Total—30		

NAYS

Total—0

ABSENT

Boissiere	Dean	Marionneaux
Cain	Irons	McPherson
Dardenne	Jones, B	Tarver
Total—9		

The Chair declared the Senate had concurred in the amended House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 49—**

BY REPRESENTATIVE FRITH

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to resurface a portion of Louisiana Highway 335 in Vermilion Parish; to enter the resurfacing project into the Highway Priority Program, and to give the road a high priority rating.

Reported favorably by the Committee on Transportation, Highways, and Public Works.

On motion of Senator Lambert, the resolution was read by title and returned to the Calendar, subject to call.

**HOUSE CONCURRENT RESOLUTION NO. 50—**

BY REPRESENTATIVE FRITH

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to resurface Louisiana Highway 693 from its intersection with Louisiana Highway 335 to its intersection with Louisiana Highway 82 in Vermilion Parish prior to the commencement of the 2003 Regular Session; to request that the resurfacing of Louisiana Highway 693 be added to the Highway Priority Program and receive a high priority ranking.

Reported favorably by the Committee on Transportation, Highways, and Public Works.

On motion of Senator Lambert, the resolution was read by title and returned to the Calendar, subject to call.

**HOUSE CONCURRENT RESOLUTION NO. 59—**

BY REPRESENTATIVES DOWNER, BALDONE, DARTEZ, TRICHE, AND PITRE AND SENATORS DUPRE AND GAUTREUX

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to place mile markers and exit numbers on Louisiana Highway 90 in Terrebonne Parish.

Reported favorably by the Committee on Transportation, Highways, and Public Works.

The resolution was read by title. Senator Dupre moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Michot
Bajoie	Gautreaux	Mount
Barham	Heitmeier	Romero
Bean	Hines	Schedler
Cain	Holden	Smith
Campbell	Hollis	Theunissen

Cravins  
Dupre  
Ellington  
Fields  
Total—28

Hoyt  
Johnson  
Lentini  
Malone

Thomas  
Ullo

**NAYS**

Total—0

**ABSENT**

Boissiere  
Chaisson  
Dardenne  
Dean  
Total—11

Irons  
Jones, B  
Jones, C  
Lambert

Marionneaux  
McPherson  
Tarver

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 60—**

BY REPRESENTATIVES DOWNER, BALDONE, DARTEZ, TRICHE, AND PITRE AND SENATORS DUPRE AND GAUTREUX

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to install turning lanes and to further modify the intersection of Barrow Street with Louisiana Highway 182 (old Louisiana Highway 90) with signalization.

Reported favorably by the Committee on Transportation, Highways, and Public Works.

The resolution was read by title. Senator Dupre moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President  
Bajoie  
Barham  
Bean  
Cain  
Campbell  
Chaisson  
Cravins  
Dupre  
Ellington  
Fields  
Total—32

Fontenot  
Gautreaux  
Heitmeier  
Hines  
Holden  
Hollis  
Hoyt  
Johnson  
Jones, C  
Lambert  
Lentini

Malone  
McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Theunissen  
Thomas  
Ullo

**NAYS**

Total—0

**ABSENT**

Boissiere  
Dardenne  
Dean  
Total—7

Irons  
Jones, B  
Marionneaux

Tarver

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Rules Suspended

Senator Lambert asked for and obtained a suspension of the rules for the purpose of taking up at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 20— BY REPRESENTATIVE THOMPSON AN ACT

To enact R.S. 15:255(I), relative to the special witness fee funds in each of the parishes in the Fifth Judicial District; to provide for the transfer of surplus monies in those funds to the criminal court fund of that district court; and to provide for related matters.

The bill was read by title. Senator Barham moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Cain, Campbell, Chaisson, Cravins, Dupre, Ellington, Fields, Total—33; Fontenot, Gautreaux, Heitmeier, Hines, Holden, Hollis, Hoyt, Johnson, Jones, B, Jones, C, Lambert; Lentini, Malone, McPherson, Michot, Mount, Romero, Schedler, Smith, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns of names: Boissiere, Dardenne, Total—6; Dean, Irons; Marionneaux, Tarver.

The Chair declared the bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 139— BY REPRESENTATIVES DIEZ, QUEZAIRE, FAUCHEUX, AND THOMPSON AN ACT

To enact R.S. 48:386.1, relative to maintenance of railroad rights-of-way at public highway railroad grade crossings; to provide for definitions; to require railroads to cut vegetation and remove structures on railroad rights-of-way at public highway railroad grade crossings and within a certain proximity thereto; to require the Department of Transportation and Development and local governing authorities to inspect and evaluate public highway railroad grade crossings for compliance purposes; to provide that the local governing authority shall provide to railroad companies notices of noncompliance for the maintenance of public highway railroad grade crossing rights-of-way; to provide relative to the limitation of liability; to require railroads to respond to certain inquiries within sixty days; to prohibit railroads from charging certain fees; to provide for penalties; and to provide for related matters.

On motion of Senator Heitmeier, the bill was read by title and returned to the Calendar, subject to call.

Rules Suspended

Senator Cravins asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Introduction of Senate Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Concurrent Resolutions a first and second time and acting upon them as follows:

SENATE CONCURRENT RESOLUTION NO. 39— BY SENATORS CRAVINS, BAJOIE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAU, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVE FAUCHEUX A CONCURRENT RESOLUTION

To commend Wilmer J. "Shorty" Baudoin for his contributions and many years of loyal and dedicated service to the Senate of the Legislature of Louisiana and to extend appreciation and support for his continued service as Sergeant at Arms for the Louisiana State Senate.

The resolution was read by title. Senator Cravins moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham; Fontenot, Gautreaux, Heitmeier; Lentini, Malone, McPherson.

Bean	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, C	Ullo
Fields	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Boissiere	Marionneaux
Dean	Tarver
Total—4	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Appointment of Conference Committee on Senate Bill No. 66**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 66: Senators Dardenne, Schedler and Ellington.

**Appointment of Conference Committee on House Bill No. 125**

The President of the Senate appointed on the Conference Committee on House Bill No. 125 the following members of the Senate: Senators Hoyt, Dupre and McPherson.

**Appointment of Conference Committee on House Bill No. 129**

The President of the Senate appointed on the Conference Committee on House Bill No. 129 the following members of the Senate: Senators Hoyt, Dupre and McPherson.

**Appointment of Conference Committee on House Bill No. 134**

The President of the Senate appointed on the Conference Committee on House Bill No. 134 the following members of the Senate: Senators Hoyt, Dupre and McPherson.

**Recess**

On motion of Senator Ellington, the Senate took a recess until 11:00 o'clock A.M.

**After Recess**

The Senate was called to order at 11:00 o'clock A.M. by the President of the Senate.

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. President	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Cain	Holden	Mount
Campbell	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, C	Ullo
Fields	Lambert	
Total—35		

**ABSENT**

Boissiere	Marionneaux
Dean	Tarver
Total—4	

The President of the Senate announced there were 35 Senators present and a quorum.

**Senate Business Resumed**

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**PASSED SENATE BILLS AND JOINT RESOLUTIONS**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

**SENATE BILL NO. 116—**

BY SENATORS CAIN, IRONS, BAJOIE, BOISSIERE, CRAVINS, ELLINGTON, FONTENOT, JOHNSON AND SMITH

**AN ACT**

To amend and reenact R.S. 18:1505.3(B), and to enact R.S. 18:1505.3(E), relative to campaign finance; to prohibit the expenditure of certain funds during an election; to prohibit a federal political action committee, a state political committee, or

a corporation from being formed as a subterfuge to hide the names of individuals who make contributions to federal political action committees, state political action committees, or corporations who make campaign expenditures; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 39—**

BY SENATORS CRAVINS, BAJOIE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAU, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVE FAUCHEUX

**A CONCURRENT RESOLUTION**

To commend Wilmer J. "Shorty" Baudoin for his contributions and many years of loyal and dedicated service to the Senate of the Legislature of Louisiana and to extend appreciation and support for his continued service as Sergeant at Arms for the Louisiana State Senate.

Reported without amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**HOUSE CONFEREES APPOINTED**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 66 by Senator Schedler:

Representatives Landrieu, Lancaster and LeBlanc.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**HOUSE CONFEREES APPOINTED**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 28 by Senator Hainkel:

Representatives LeBlanc, Hill and DeWitt.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Recess**

On motion of Senator Lambert, the Senate took a recess until 1:00 o'clock P.M.

**After Recess**

The Senate was called to order at 1:00 o'clock P.M. by the President of the Senate.

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. President	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Bean	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Irons	Schedler
Dardenne	Johnson	Smith
Dupre	Jones, B	Theunissen
Ellington	Jones, C	Thomas
Fields	Lambert	Ullo
Fontenot	Lentini	
Total—35		

**ABSENT**

Boissiere	Dean
Campbell	Tarver
Total—4	

The President of the Senate announced there were 35 Senators present and a quorum.

**Senate Business Resumed**

**Rules Suspended**

Senator B. Jones asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**House Bills and Joint Resolutions on Third Reading and Final Passage**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

**HOUSE BILL NO. 144—**

BY REPRESENTATIVES HAMMETT, DEWITT, PINAC, FAUCHEUX, GLOVER, MURRAY, AND THOMPSON  
AN ACT

To amend and reenact R.S. 51:2452(A), 2453, 2454, 2455, 2457, 2458(introductory paragraph), 2460, and 2461 and to enact R.S. 51:2456 and 2462, relative to economic development activities; to revise the quality jobs program; to provide for rebates to certain employers based on the gross payroll of new direct jobs in the state; to provide requirements for participation in the program; to provide for payment of such rebates to qualified employers; to provide for an effective date; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lambert sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lambert to Reengrossed House Bill No. 144 by Representative Hammett

AMENDMENT NO. 1

In Senate Committee Amendment No. 37 proposed by the Senate Committee on Revenue and Fiscal Affairs adopted by the Senate on April 16, 2002, delete line 9, and insert "and has not performed any act, nor failed to perform any act, which would have made the"

AMENDMENT NO. 2

In Senate Committee Amendment No. 52 proposed by the Senate Committee on Revenue and Fiscal Affairs adopted by the Senate on April 16, 2002, on line 6, change "8" to "5" and on line 20, change "(3)" to "(2)"

AMENDMENT NO. 3

On page In Senate Committee Amendment No. 57 proposed by the Senate Committee on Revenue and Fiscal Affairs adopted by the Senate on April 16, 2002, on line 35, change "6" to "5"

AMENDMENT NO. 4

In Senate Committee Amendment No. 64 proposed by the Senate Committee on Revenue and Fiscal Affairs adopted by the Senate on

April 16, 2002, on page 9, line 33, delete "did not" and on line 34, change "Default" to "Did not default" and on line 39, change "The employer is" to "Is"

AMENDMENT NO. 5

In Senate Committee Amendment No. 73 proposed by the Senate Committee on Revenue and Fiscal Affairs adopted by the Senate on April 16, 2002, on line 5, following "requiring" and before "that" delete "the"

On motion of Senator Lambert, the amendments were adopted.

**Floor Amendments Sent Up**

Senator B. Jones sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator B. Jones to Reengrossed House Bill No. 144 by Representative Hammett, et al.

AMENDMENT NO. 1

In Senate Committee Amendments proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on April 16, 2002, in Amendment No. 40, on page 5, line 41, after "violation," insert "if the employer is not subject to income tax, the rebate may be recovered under R.S. 47:1561.2,"

AMENDMENT NO. 2

In Senate Committee Amendments proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on April 16, 2002, in Amendment No. 46, on page 6, line 17, change "allowed" to "disallowed"

On motion of Senator B. Jones, the amendments were adopted.

**Floor Amendments Sent Up**

Senator B. Jones sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator B. Jones to Reengrossed House Bill No. 144 by Representative Hammett

AMENDMENT NO. 1

On page 9, between lines 15 and 16, insert "(ix) Attorneys."

On motion of Senator B. Jones, the amendments were adopted.

**Floor Amendments Sent Up**

Senator B. Jones sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator B. Jones to Reengrossed House Bill No. 144 by Representative Hammett

AMENDMENT NO. 1

April 17, 2002

On page 8, at the end of line 21, delete the period "." and insert ", but their wages subject to Louisiana income tax shall be included in the calculation of gross payroll for purposes of this Chapter."

AMENDMENT NO. 2

On page 10, line 15, at the end of the line change "one-" to "three-fourths" and on line 16, delete "half"

AMENDMENT NO. 3

On page 10, line 17, after "percent" insert "of the new direct jobs receiving the wage provided for in this Subparagraph"

AMENDMENT NO. 4

On page 10, line 18, change "two" to "two and one-fourth"

AMENDMENT NO. 5

On page 10, line 17, after "percent" insert "of the new direct jobs receiving the wage provided for in this Subparagraph"

AMENDMENT NO. 6

On page 11, line 15, delete "full-time equivalent"

AMENDMENT NO. 7

On page 11, line 16, after "employee" insert "working at the average hours per week provided for in R.S. 51:2455(E)(2), who was"

AMENDMENT NO. 8

In Senate Committee Amendment No. 4, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on April 16, 2002, on page 1, line 20 change "one hundred percent" to "eighty-five percent"

AMENDMENT NO. 9

In Senate Committee Amendment No. 5, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on April 16, 2002, on page 1, line 20 change "one hundred percent" to "eighty-five percent"

AMENDMENT NO. 10

In Senate Committee Amendment No. 11, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on April 16, 2002, on page 2, line 36 change "code 561422" to "code 56142"

AMENDMENT NO. 11

In Senate Committee Amendment No. 52, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on April 16, 2002, on page 7, delete lines 20 through 22, and insert:

"(3)(2)(a) Except as provided in Subparagraph (2)(b), have a number of full-time employees working an average of twenty-five thirty-five or more hours per week in new direct jobs equal to or in excess of eighty seventy percent of the total number of new direct jobs.

(b) Call centers as defined by North American Industry Classification (NAICS) code 56142 shall have number of full-time employees working an average of thirty or more hours per week in new direct jobs equal to or in excess of seventy percent of the total number of new direct jobs in order to qualify."

AMENDMENT NO. 12

In Senate Committee Amendment No. 64, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on April 16, 2002:

On page 8, line 29, change "one-half" to "three-fourths"

On page 8, line 31, change "two" to "two and one-fourth"

On page 8, line 37, change "twenty-five" to "thirty-five, or in the case of qualifying call centers, thirty"

On page 9, line 23, change "one hundred percent" to eighty-five percent"

On motion of Senator B. Jones, the amendments were adopted.

Floor Amendments Sent Up

Senator Thomas sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Thomas to Reengrossed House Bill No. 144 by Representative Hammett

AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 38 and 40, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on April 16, 2002

Senator Thomas moved adoption of the amendments.

Senator B. Jones objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bean	Hines	McPherson
Cain	Holden	Michot
Chaisson	Hollis	Mount
Cravins	Hoyt	Romero
Dupre	Johnson	Schedler
Fontenot	Jones, C	Theunissen
Gautreaux	Lentini	Thomas
Heitmeier	Malone	
Total—23		

NAYS

Mr. President	Fields	Smith
Bajoie	Irons	Ullo
Barham	Jones, B	
Ellington	Lambert	
Total—10		

ABSENT

Boissiere	Dardenne	Marionneau
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Campbell Dean Tarver  
Total—6

The Chair declared the amendments were adopted.

**Floor Amendments Sent Up**

Senator Michot sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Michot to Reengrossed House Bill No. 144 by Representative Hammett

AMENDMENT NO. 1

In Senate Committee Amendment No. 9, proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on April 16, 2002, on page 2, line 7, after "113310," insert "211, 213111, 541360"

On motion of Senator Michot, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Barham sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Barham to Reengrossed House Bill No. 144 by Representative Hammett

AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 52 and 69 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on April 16, 2002.

On motion of Senator Barham, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Hollis sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hollis to Reengrossed House Bill No. 144 by Representative Hammett

AMENDMENT NO. 1

In Senate Committee Amendment No. 64 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on April 16, 2002, on page 9, delete lines 28 through 32 and insert the following:

"(ii) That the employer has offered health insurance coverage for full-time employees and the dependents of full-time employees."

AMENDMENT NO. 2

On page 5, at the beginning of line 27, after "time" delete "and part-time"

AMENDMENT NO. 3

On page 6, line 1, after "coverage" delete the remainder of the line and delete lines 2 and 3

AMENDMENT NO. 4

On page 6, line 11, after "full-time" delete "and part-time"

AMENDMENT NO. 5

On page 6, line 13, after "coverage" delete the remainder of the line and delete lines 14 and 15

AMENDMENT NO. 6

On page 6, line 23, after "coverage." delete the remainder of the line and delete lines 24 through 27 and on page 7, delete lines 1 and 2

On motion of Senator Hollis, the amendments were adopted.

The bill was read by title. Senator B. Jones moved final passage of the amended bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, C	Ullo
Fields	Lambert	
Fontenot	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Boissiere	Dean	Tarver
Campbell	Marionneaux	
Total—5		

The Chair declared the amended bill was passed. The title was read and adopted. Senator B. Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**Rules Suspended**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Reports of Committees**

The following reports of committees were received and read:

April 17, 2002

CONFERENCE COMMITTEE REPORT  
Senate Bill No. 77 by Senators C. Jones and Campbell

April 16, 2002

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 77 by Senator C. Jones recommend the following concerning the Reengrossed bill:

1. That House Committee Amendment Nos. 1 through 5, No. 9, and Nos. 11 through 13 proposed by the House Committee on Commerce and adopted by the House of Representatives on April 9, 2002 be adopted.
2. That House Committee Amendment Nos. 6, 7, 8, and 10 proposed by the House Committee on Commerce and adopted by the House of Representatives on April 9, 2002 be rejected.
3. That House Floor Amendment Nos. 2, 4, 8, 9, 10 and 11 proposed by Representative Hunter and adopted by the House of Representatives on April 10, 2002 be adopted.
4. That House Floor Amendment Nos. 1, 3, 5, 6, and 7 proposed by Representative Hunter and adopted by the House of Representatives on April 10, 2002 be rejected.
5. That House Floor Amendment Nos. 1 through 7 proposed by Representative Salter and adopted by the House of Representatives on April 10, 2002 be adopted.
6. That House Floor Amendment No. 1 proposed by Representative Quezaire and adopted by the House of Representatives on April 10, 2002 be rejected.
7. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2 after "R.S. 6:124.1(C)(4)" insert ", R.S. 40:2195.7,"

AMENDMENT NO. 2

On page 2, line 9, after "governor" insert "in the northeast priority zones or targeted areas"

AMENDMENT NO. 3

On page 2, between lines 18 and 19 insert the following:

"Section 2. R.S. 40:2195.7 is hereby enacted to read as follows:

§2195.7 State Office of Rural Health

**R.S. 40:2195.7 is all proposed new law.**

A. Within the Department of Health and Hospitals, the Louisiana state office of rural health shall:

(i) Administer the community-based and rural health care program as provided in R.S. 40:2195, et seq.

(ii) Provide state general funds, as appropriated, to qualified grantees for programs to increase access to primary and preventive health care in rural areas.

(iii) Provide state general funds, as appropriated, to qualified grantees as start-up funding for establishing primary care health clinics to serve low-income citizens, particularly in rural areas.

(iv) Provide state general funds, as appropriated, to qualified grantees as matching funds for grants designed to provide health services to low-income citizens, particularly in rural areas.

(v) Provide technical assistance and grants to aid qualified rural hospitals in attaining designation as critical access hospitals in accordance with the Medicare rural hospital flexibility program, as provided in 42 U.S.C.A. 1395i-4.

(vi) Provide statewide technical assistance in conjunction with the Louisiana Rural Health Association on establishment of rural health clinics and on grant writing, especially related to rural health outreach grants, telemedicine grants, and other grants available to increase rural health access.

(vii) Participate in Robert Wood Johnson Foundation's southern rural access program and similar programs to improve access to health services for the rural population.

(viii) Initiate efforts for recruitment and retention of primary care professionals through the state loan repayment program as provided in R.S. 40:1300.4, and any other similar programs to increase the number of health care professionals in rural areas.

(ix) A primary function of this office shall be to increase the supply of physicians and other health care providers to the underserved areas of this state. This office may seek grants and financial inducements to entice medical students, nurse practitioners, physician assistants and nurses to locate in the rural area. This office may seek funds for equipment and start up costs for medical providers wishing to locate in under served areas.

(x) Reorganization of the delivery of medical care shall be undertaken such that rural hospitals become centers of primary and preventive health delivery and medical services, including but not limited to medical education, immunizations, early detection of disease states, and dietary instruction.

(xi) Develop and implement a strategic plan for the purposes of maintaining, enhancing, and expanding services currently offered by rural health care providers including rural hospitals as defined in R.S. 40:1300.143, to obtain additional grants and funding from any and all public or private entities, including but not limited to, the United States Department of Health and Human Services, the United States Department of Agriculture, and charitable organizations and foundations. In developing and implementing a strategic plan pursuant to this paragraph, the secretary of the Department of Health and Hospitals shall consult with rural health care provider organizations. In addition the secretary shall submit a report to the legislature at least sixty days prior to the beginning of each regular session of the legislature detailing the progress in implementing the strategic plan. The report shall also set out the goals and objectives of the strategic plan for the next state fiscal session including the level of funding necessary to achieve those goals and objectives.

B. It is further declared that the Louisiana strategic plan against poverty is the policy and responsibility of the state of Louisiana such that first priority shall be given to the comprehensive, coordinated use of resources, personnel, programs, and services to alleviate the pervasive, persistent poverty that limits the progress of the state and constricts the lives of its citizens. With this concerted effort, the state declares the alleviation of poverty in Louisiana to be

its top priority and dedicates all of its resources to supporting and enhancing comprehensive community development in order to strengthen the state's economic and social fabric, thereby moving the state and its people forward.

C. The purpose of this Section is to stimulate business and industrial growth and provide for a better delivery of health and medical services in these areas of the state by the coordination of economic development and health care resources, whether such resources originate from state or federal plans or programs and to create priority health care and economic development zones to better serve the citizens of the region."

AMENDMENT NO. 4

On page 2, line 19 change "Section 2." to "Section 3."

AMENDMENT NO. 5

On page 3, delete lines 11 and 12 and insert the following:

"(2) The legislature further finds that in many Louisiana parishes, one-fifth of the"

AMENDMENT NO. 6

On page 4, at the beginning of line 19, change "(5)" to "(6)" and at the beginning of line 25, change "(6)" to "(7)"

AMENDMENT NO. 7

On page 5, line 9, after "poverty;" delete "Northeastern" and insert "Northeast and targeted"

AMENDMENT NO. 8

On page 5, line 14, after "following" delete "northeastern" and insert "northeast and targeted"

AMENDMENT NO. 9

On page 6, between lines 6 and 7, insert the following:

- "(16) Webster
- (17) St. Charles
- (18) St. John
- (19) Vermillion
- (20) Acadia
- (21) Washington
- (22) Tangipahoa
- (23) Iberville
- (24) Assumption
- (25) Avoyelles
- (26) St. James
- (27) DeSoto
- (28) Terrebonne
- (29) Lafourche
- (30) Calcasieu
- (31) Cameron
- (32) West Bank of Ascension
- (33) East Feliciana
- (34) West Feliciana
- (35) St. Helena
- (36) East Baton Rouge"

Senators:

Respectfully submitted,  
Representatives:

Charles D. Jones  
Ken Hollis  
Bill Jones

Willie Hunter  
Bryant Hammett, Jr.  
Gil Pinac

**Rules Suspended**

Senator C. Jones asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator C. Jones, a vote was taken on the adoption of the report.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Lentini
Bajoie	Heitmeier	Malone
Barham	Hines	Michot
Bean	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dupre	Johnson	Theunissen
Ellington	Jones, B	Thomas
Fields	Jones, C	Ullo
Fontenot	Lambert	
Total—32		

NAYS

Total—0

ABSENT

Boissiere	Dean	Tarver
Campbell	Marionneaux	
Cravins	McPherson	
Total—7		

The Chair declared the Conference Committee Report was adopted. Senator C. Jones moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**Rules Suspended**

Senator Cain asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Bills and Joint Resolutions  
Returned from the House of  
Representatives with Amendments**

Senator Cain asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just returned from the House of Representatives with amendments.

SENATE BILL NO. 116—

BY SENATORS CAIN, IRONS, BAJOEI, BOISSIERE, CRAVINS, ELLINGTON, FONTENOT, JOHNSON AND SMITH

AN ACT

To amend and reenact R.S. 18:1505.3(B), and to enact R.S. 18:1505.3(E), relative to campaign finance; to prohibit the expenditure of certain funds during an election; to prohibit a federal political action committee, a state political committee, or a corporation from being formed as a subterfuge to hide the names of individuals who make contributions to federal political action committees, state political action committees, or corporations who make campaign expenditures; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 116 by Senator Cain

AMENDMENT NO. 1

On page 1, at the beginning of line 2, after "To" delete the remainder of the line and insert "enact R.S. 18:1491.1(F), 1501.2, 1505.3(E), and 1511.5(E),"

AMENDMENT NO. 2

On page 1, line 3, after "campaign finance;" delete the remainder of the line and delete lines 4 through 8, and insert the following:

"to prohibit the formation of political committees or other legal entities as a subterfuge to conceal certain information about contributions, loans, or transfers of funds or expenditures or to avoid compliance with provisions of the Campaign Finance Disclosure Act; to provide for certain enforcement actions; to provide for penalties;"

AMENDMENT NO. 3

On page 1, delete lines 11 through 16 and delete page 2 and insert the following:

"Section 1. R.S. 18:1491.1(F), 1501.2, 1505.3(E), and 1511.5(E) are hereby enacted to read as follows:

§1491.1. Registration of political committees

\* \* \*

F. No person shall form a political committee as a subterfuge to avoid accurately reporting the actual source and amount of contributions, loans, or transfers of funds received by any person or the actual amount or recipient of any expenditures by any person or to avoid any other provision of this Chapter. Any committee which violates the provisions of this Subsection shall be subject to the penalties provided in R.S. 18:1505.4, R.S. 18:1505.5, and R.S. 18:1505.6.

\* \* \*

§1501.2. Subterfuge by persons not candidates or committees to avoid disclosure

No person shall form a corporation, limited liability company, or any other legal entity primarily as a subterfuge to avoid accurately reporting the actual source and amount of contributions, loans, or transfers of funds by any person or the actual amount or recipient of any expenditures by any person or to avoid any other provision of this Chapter. Any person who violates the provisions of this Subsection shall be subject to the penalties provided in R.S. 18:1505.4, R.S. 18:1505.5, and R.S. 18:1505.6.

\* \* \*

§1505.3. Subterfuge to avoid compliance with Chapter

\* \* \*

E.(1) As more specifically provided in R.S. 18:1491.1(F) and 1501.2, no person shall form a political committee, corporation, limited liability company, or any other legal entity as a subterfuge to avoid the reporting and other requirements of this Chapter.

(2) The committee chairman of any committee which violates or is formed in violation of the provisions of R.S. 18:1491.1(F) shall be subject to the penalties provided in R.S. 18:1505.4, R.S. 18:1505.5, and R.S. 18:1505.6.

(3) Any person who forms a corporation, limited liability company, or any other legal entity in violation of the provisions of R.S. 18:1501.2, and the officers, individual members of the board of directors, and partners of any corporation, limited liability company, or any other legal entity formed in violation of R.S. 18:1501.2 shall be subject to the penalties provided in R.S. 18:1505.4, R.S. 18:1505.5, and R.S. 18:1505.6.

\* \* \*

§1511.5. Procedure for enforcement; civil

\* \* \*

E. During the time period beginning twenty-nine days prior to an election through the last day prior to an election, if an elector has reason to believe that a violation of R.S. 18:1491.1(F) or 1501.2 has occurred, such elector may institute an action requesting the disclosure of the information required by R.S. 18:1491.7.

(1) Such an action shall be instituted by filing a petition in a court of competent jurisdiction and venue and posting a copy of the petition in a conspicuous place at the entrance of the office of the clerk of court where the petition is filed. The defendant shall be served with citation directing him to appear in court no later than 10:00 a.m. on the fourth day after suit was filed. The defendant is not required to answer the petition, but if he answers, he shall do so prior to trial. The clerk of court shall immediately notify the Board of Ethics, by telephone and by written notice sent certified mail, when such an action has been filed.

(2) Such actions shall be tried summarily, without a jury, and in open court. The trial shall begin no later than 10:00 a.m. on the fourth day after suit was filed. If the defendant does not appear on the date set for the trial, either in person or through counsel, the court shall appoint an attorney at law to represent him by instanter

appointment made prior to the commencement of the trial. In a case where a court appointment of an attorney to represent the defendant is made, the proceedings shall be conducted contradictorily against the court-appointed attorney. The court shall determine the amount of the fee payable to curators ad hoc in accordance with criteria used by the court in fixing curator fees under Code of Civil Procedure Article 5091 et seq. The court shall tax the curator's fee as costs, and such fee shall be paid by the plaintiff unless the defendant was served personally at least twenty-four hours prior to the hearing and the appointment of a curator ad hoc was necessitated by his failure to appear at the trial, in which case the court may require the defendant to pay the curator's fee.

(3) In all actions, the trial judge shall render judgment within twenty-four hours after the case is submitted to him and shall indicate the date and time rendered on the judgment. If the court finds that a violation of R.S. 18:1491.1(F) or 1501.2 has occurred, the court may order the defendant to immediately and accurately disclose the information required by R.S. 18:1491.7 to the petitioner and the Board of Ethics. The clerk of the trial court shall immediately notify all parties or their counsel of record by telephone and/or facsimile transmission of the judgment.

(4) Within twenty-four hours after rendition of judgment, a party aggrieved by the judgment may appeal. All such appeals shall be subject to the time periods and provisions in R.S. 18:1409(D), (E), (F), and (G).

(5) No application for a new trial or for a rehearing shall be entertained by any court, but a court, upon its own motion, may correct manifest error to which its attention is called.

(6) Judgment shall be deemed to have been rendered when signed by the judge.

(7) Computation of time intervals for the purpose of this Subsection shall include Sundays and other legal holidays. However, if the time interval ends on a Sunday or other legal holiday, then noon of the next legal day shall be deemed to be the end of the time interval."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Murray to Reengrossed Senate Bill No. 116 by Senator Cain

AMENDMENT NO. 1

Delete the set of House Committee Amendments proposed by the Committee on House and Governmental Affairs and adopted by the House of Representatives on April 16, 2002

AMENDMENT NO. 2

On page 1, at the beginning of line 2, after "To" delete the remainder of the line and insert "enact R.S. 18:1491.1(F), 1501.2, 1505.3(E), 1511.5(E), and Part VIII of Chapter 11 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:1541 through 1544,"

AMENDMENT NO. 3

On page 1, line 3, after "relative to" delete the remainder of the line and delete lines 4 through 8, and insert the following: "relative to elections; to prohibit libelous, defamatory, and harassing conduct during elections; to prohibit the formation of political committees or other legal entities as a subterfuge to conceal certain information about contributions, loans, or transfers of funds or expenditures or to

avoid compliance with provisions of the Campaign Finance Disclosure Act; to provide for special investigations; to provide for certain enforcement actions; to provide for penalties;"

AMENDMENT NO. 4

On page 1, delete lines 11 through 16 and delete page 2 and insert the following:

"Section 1. R.S. 18:1491.1(F), 1501.2, 1505.3(E), 1511.5(E), and Part VIII of Chapter 11 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:1541 through 1544, are hereby enacted to read as follows:

§1491.1. Registration of political committees

\* \* \*

F. No person shall form a political committee as a subterfuge to avoid accurately reporting the actual source and amount of contributions, loans, or transfers of funds received by any person or the actual amount or recipient of any expenditures by any person or to avoid any other provision of this Chapter. Any committee which violates the provisions of this Subsection shall be subject to the penalties provided in R.S. 18:1505.4, R.S. 18:1505.5, and R.S. 18:1505.6.

\* \* \*

§1501.2. Subterfuge by persons not candidates or committees to avoid disclosure

No person shall form a corporation, limited liability company, or any other legal entity primarily as a subterfuge to avoid accurately reporting the actual source and amount of contributions, loans, or transfers of funds by any person or the actual amount or recipient of any expenditures by any person or to avoid any other provision of this Chapter. Any person who violates the provisions of this Subsection shall be subject to the penalties provided in R.S. 18:1505.4, R.S. 18:1505.5, and R.S. 18:1505.6.

\* \* \*

§1505.3. Subterfuge to avoid compliance with Chapter

\* \* \*

E.(1) As more specifically provided in R.S. 18:1491.1(F) and 1501.2, no person shall form a political committee, corporation, limited liability company, or any other legal entity as a subterfuge to avoid the reporting and other requirements of this Chapter.

(2) The committee chairman of any committee which violates or is formed in violation of the provisions of R.S. 18:1491.1(F) shall be subject to the penalties provided in R.S. 18:1505.4, R.S. 18:1505.5, and R.S. 18:1505.6.

(3) Any person who forms a corporation, limited liability company, or any other legal entity in violation of the provisions of R.S. 18:1501.2, and the officers, individual members of the board of directors, and partners of any corporation, limited liability company, or any other legal entity formed in violation of R.S. 18:1501.2 shall be subject to the penalties provided in R.S. 18:1505.4, R.S. 18:1505.5, and R.S. 18:1505.6.

\* \* \*

§1511.5. Procedure for enforcement; civil

\* \* \*

E. During the time period beginning forty days prior to an election through the last day prior to an election, if an elector has reason to believe that a violation of Part VIII of this Chapter, R.S. 18:1491.1(F), or 1501.2 has occurred and files a sworn complaint with the supervisory committee, the supervisory committee shall utilize the expedited procedure in Part VIII of this Chapter and shall have the power to issue letters of reprimand or censure, order certain disclosures, and make public any improper campaign conduct which is a violation of Part VIII of this Chapter, R.S.18:1491.1(F), or 1501.2.

\* \* \*

PART VIII. FAIR ELECTIONS

§1541. Policy

The right of the people to elect their representatives is the cornerstone of American democracy. It is also the right of the people not to be subjected to and made to endure reprehensible actions by candidates who engage in libelous, defamatory and harassing conduct in an election campaign. Fair and ethical election campaigns conducted in a civil manner should be the goal of our society. Election campaigns which are not conducted with a degree of civility promote distrust and disdain for the political process. It is true that the rigors of the political arena are the cauldron which hopefully produces a winner who represents the best the system has to offer. Certain acts should not be permitted to invade the campaign and if permitted will ultimately denigrate the process of electing our public servants to a point that individuals of good character will choose not to offer themselves for public office.

§1542. Improper conduct; defamatory accusations and materials; intimidation; complaints

A. Any candidate or his principal or subsidiary campaign committee may be reported to the Supervisory Committee on Campaign Finance Disclosure if any such person is alleged to have engaged in one or more of the following acts directed against another candidate or an employee or relative of another candidate:

- (1) Making harassing or threatening phone calls.
- (2) Making written or spoken accusations which can be demonstrated to be baseless and without truth or substance or which possess the legal elements of libel.
- (3) Stalking, accosting, or making threatening gestures or intimidating acts as defined in the Louisiana Criminal Code.

B. Any candidate or any employee or relative of a candidate, who is subjected to any of the acts listed in Subsection A of this Section by another candidate, or his principal or subsidiary committee may file a complaint with the supervisory committee.

\* \* \*

§1543. Special investigations; censures; disclosures

A. In addition to the powers and duties granted to the supervisory committee to investigate violations of this Chapter, the supervisory committee shall also investigate in the manner provided in this Section any complaint initiated pursuant to this Part or any

violation of R.S. 18:1491.1(F) or 1501.2, and shall have the power to issue letters of reprimand or censure, order certain disclosures, and make public any improper campaign conduct which is a violation of this Part or of R.S. 18:1491.1(F) or 1501.2.

B.(1) The Supervisory Committee on Campaign Finance Disclosure, upon receipt of any sworn complaint making any allegations provided for in this Part or alleging that a violation of R.S. 18:1491.1(F) or 1501.2 has occurred, shall immediately initiate an investigation and shall provide the alleged offender a five-day notice from receipt of the complaint and opportunity to be heard at a meeting of the supervisory committee. The provisions of R.S. 42:5 shall not apply to any hearing conducted pursuant to this Subsection.

(2) The supervisory committee may authorize any hearings held pursuant to this Section to be considered by a panel of members consisting of not less than three members nor more than five members.

C. If, after the hearing provided for in Subsection B of this Section is conducted, the supervisory committee determines that a violation of this Part or of R.S. 18:1491.1(F) or 1501.2 has occurred, the supervisory committee shall issue a letter of reprimand or censure and shall order the immediate and accurate disclosure of the information required by R.S. 18:1491.7, for the appropriate time period or periods as determined necessary by the supervisory committee to provide for complete disclosure of all activity related to the election.

§1544. Additional remedies

A. Any plaintiff candidate or his principal or subsidiary committee, who have not been alleged to have violated the provisions of this Part or of R.S. 18:1491.1(F) or 1501.2 at any time during the candidate's entire campaign, shall have a monetary remedy in a civil action against an opposing candidate or his principal or subsidiary campaign committees for violation of the provision of this Part or of R.S. 18:1491.1(F) or 1501.2.

B. If any candidate or that candidate's principal campaign committee or subsidiary committee is found in violation of this Part or of R.S. 18:1491.1(F) or 1501.2, they shall be jointly and severally liable for the payment of damages and attorney fees. If the candidate is held personally liable for any payment of damages or attorney fees, the candidate shall not use or be reimbursed by funds from any political committee of the candidate for such payment or fees.

C. No remedy provided in this Part is intended to be exclusive of any civil or criminal remedy provided in any other provision of law, and the remedies provided in this Part may be exercised without exhausting and without regard to any civil or criminal remedy provided in any other provision of law.

\* \* \*

Senator Cain moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Michot

Bean	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Dardenne	Hoyt	Smith
Dupre	Irons	Theunissen
Ellington	Johnson	Thomas
Fields	Lambert	Ullo

Total—30

NAYS

Total—0

ABSENT

Boissiere	Dean	Marionneaux
Campbell	Jones, B	McPherson
Cravins	Jones, C	Tarver

Total—9

The Chair declared the amendments proposed by the House were rejected. Senator Cain moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**Senator Lambert in the Chair**

**Rules Suspended**

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**CONFERENCE COMMITTEE REPORT**

Senate Bill No. 45 by Senator Fontenot

April 17, 2002

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 45 by Fontenot recommend the following concerning the reengrossed bill:

1. That House Committee Amendment Nos. 1 through 4 proposed by the House Committee on Municipal, Parochial and Cultural Affairs and adopted by the House of Representatives on April 3, 2002 be rejected.
2. That the following amendments to the reengrossed bill be adopted.

**AMENDMENT NO. 1**

On page 2, delete lines 10 and 11 in their entirety and insert in lieu thereof the following:

**"(4) At least one member of the board of commissioners shall be a practicing physician who resides in the district."**

Senators:  
Heulette "Clo" Fontenot

Respectfully submitted,  
Representatives:  
Thomas H. "Tom" McVea

Max T. Malone	Sharon Weston Broome
	Tony R. Perkins

**Rules Suspended**

Senator Fontenot asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Fontenot, a vote was taken on the adoption of the report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Gautreaux	Lentini
Barham	Heitmeier	Malone
Bean	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Dardenne	Hoyt	Schedler
Dupre	Irons	Smith
Ellington	Johnson	Theunissen
Fields	Jones, B	Thomas
Fontenot	Lambert	Ullo

Total—30

**NAYS**

Total—0

**ABSENT**

Bajoie	Cravins	Marionneaux
Boissiere	Dean	McPherson
Campbell	Jones, C	Tarver

Total—9

The Chair declared the Conference Committee Report was adopted. Senator Fontenot moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**Mr. President in the Chair**

**CONFERENCE COMMITTEE REPORT**

Senate Bill No. 66 by Senator Schedler

April 17, 2002

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 66 by Senator Schedler recommend the following concerning the engrossed bill:

1. That House Committee Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on April 10, 2002 be rejected.

April 17, 2002

2. That House Committee Amendment No. 2 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on April 10, 2002 be accepted.
3. That House Floor Amendment No. 1 proposed by Representative Murry and adopted by the House of Representatives on April 16, 2002 be accepted.
4. That all House Floor Amendments proposed by Representative DeWitt and adopted by the House of Representatives on April 16, 2002 be rejected.

Senators: Tom Schedler John L. "Jay" Dardenne Noble E. Ellington	Respectfully submitted, Representatives: Charles D. Lancaster, Jr. Jerry Luke LeBlanc
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**Rules Suspended**

Senator Schedler asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report.

Senator Schedler moved that the Conference Committee Report be adopted.

Senator Romero moved as a substitute motion that the bill be recommitted to Conference Committee.

Senator Schedler objected.

**ROLL CALL**

The roll was called on the substitute motion with the following result:

<b>YEAS</b>		
Bajoie	Fields	Malone
Bean	Hines	Romero
Total—6		
<b>NAYS</b>		
Mr. President	Heitmeier	McPherson
Barham	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dupre	Johnson	Theunissen
Ellington	Jones, B	Thomas
Fontenot	Lambert	Ullo
Gautreaux	Lentini	
Total—26		
<b>ABSENT</b>		
Boissiere	Dean	Tarver
Campbell	Jones, C	
Cravins	Marionneaux	
Total—7		

The Chair declared the Senate refused to recommit the bill to Conference Committee.

**ROLL CALL**

The roll was called on the original motion to adopt the Conference Committee report with the following result:

<b>YEAS</b>		
Mr. President	Holden	McPherson
Barham	Hollis	Michot
Cain	Hoyt	Mount
Chaisson	Irons	Schedler
Dardenne	Johnson	Smith
Dupre	Jones, B	Theunissen
Ellington	Lambert	Thomas
Fontenot	Lentini	Ullo
Heitmeier	Malone	
Total—26		
<b>NAYS</b>		
Bajoie	Fields	Hines
Bean	Gautreaux	Romero
Total—6		
<b>ABSENT</b>		
Boissiere	Dean	Tarver
Campbell	Jones, C	
Cravins	Marionneaux	
Total—7		

The Chair declared the Conference Committee Report was adopted. Senator Schedler moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**CONFERENCE COMMITTEE REPORT**

Senate Bill No. 71 by Senator B. Jones

April 16, 2002

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 71 by Senator B. Jones recommend the following concerning the Reengrossed bill:

1. That House Committee Amendment No.1 proposed by the House Committee on Commerce and adopted by the House of Representatives on April 9, 2002 be adopted.
2. That House Floor Amendment No. 1 proposed by Representative Downer and adopted by the House of Representatives on April 10, 2002 be rejected.

3. That House Floor Amendment Nos. 1 and 2 proposed by Representative Pinac and adopted by the House of Representatives on April 10, 2002 be adopted.

Respectfully submitted,  
Senators: Representatives:  
Bill Jones Gillis J. Pinac  
Ken Hollis Jean M. Doerge  
Gary L. Smith, Jr.

**Rules Suspended**

Senator B. Jones asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator B. Jones, a vote was taken on the adoption of the report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Michot
Bean	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Theunissen
Dupre	Johnson	Thomas
Ellington	Jones, B	Ullo
Fields	Lambert	
Total—32		

**NAYS**

Total—0

**ABSENT**

Boissiere	Jones, C	Tarver
Campbell	Marionneaux	
Dean	McPherson	
Total—7		

The Chair declared the Conference Committee Report was adopted. Senator B. Jones moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**Appointment of Conference Committee on Senate Bill No. 116**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 116: Senators Cain, Irons and Ullo.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 144 by Representative Hammett, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Hammett, Alario and Murray.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 130 by Representative Schneider, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Schneider, Stelly and Flavin.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Appointment of Conference Committee on House Bill No. 130**

The President of the Senate appointed on the Conference Committee on House Bill No. 130 the following members of the Senate: Senators McPherson, Hoyt and Dupre.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Bill No. 77.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Concurrent Resolution No. 27.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 53.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 132.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 149.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 165.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Senator Lambert in the Chair**

**Rules Suspended**

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Reports of Committees**

The following reports of committees were received and read:

**CONFERENCE COMMITTEE REPORT**

Senate Bill No. 28 by Senator Hainkel

April 17, 2002

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 28 by Senator Hainkel recommend the following concerning the Engrossed bill:

1. That House Committee Amendments No. 1, 2, 3, and 4 proposed by the House Committee on Appropriations and adopted by the House of Representatives on April 9, 2002 be adopted.
2. That House Floor Amendments No. 1 and 3 proposed by Representative DeWitt and adopted by the House of Representatives on April 10, 2002 be rejected.

Respectfully submitted,

Senators:  
John Hainkel  
John L. "Jay" Dardenne  
Tom Schedler

Representatives:  
Charlie DeWitt  
Herman R. Hill  
Jerry Luke LeBlanc

**Rules Suspended**

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Hainkel, a vote was taken on the adoption of the report.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dupre	Johnson	Theunissen
Ellington	Jones, B	Thomas
Fields	Lambert	Ullo
Total—33		

NAYS

Total—0

ABSENT

Boissiere	Dean	Marionneau
Campbell	Jones, C	Tarver
Total—6		

The Chair declared the Conference Committee Report was adopted. Senator Hainkel moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**CONFERENCE COMMITTEE REPORT  
House Bill No. 149 By Representative Hebert**

April 17, 2002

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 149 by Representative Hebert, recommend the following concerning the reengrossed bill:

1. That all of the amendments proposed by the Senate Committee on Insurance and adopted by the Senate on April 9, 2002, be adopted.
2. That the floor amendments proposed by Senator Fields and adopted the Senate on April 15, 2002 be rejected.
3. That the floor amendments proposed by Senator Lentini and adopted the Senate on April 15, 2002 be rejected.
4. That the following amendment to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 3, between lines 2 and 3 insert the following:

"(4) Prior to the implementation of a rate change approved by the commission which increases a rate for a policy holder, the insurer shall notify the policy holder at least thirty days prior to the date of renewal of the policy. No rate increase approved by the commission shall be implemented by the insurer during the term contracted between the policy holder and the insurer."

AMENDMENT NO. 2

On page 3, line 3, change "(4)" to "(5)"

Representatives:  
Troy Hebert  
Dan W. Morrish  
Dale Erdey

Respectfully submitted,  
Senators:  
Donald R. Cravins  
Arthur J. "Art" Lentini  
Ken Hollis

Rules Suspended

Senator Cravins asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Cravins, a vote was taken on the adoption of the report.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Cain, Cravins, Dardenne, Dupre, Ellington, Fields, Total—30; Fontenot, Gautreaux, Hines, Holden, Hollis, Hoyt, Irons, Johnson, Lambert, Lentini; Malone, McPherson, Michot, Mount, Romero, Schedler, Smith, Theunissen, Thomas, Ullo.

NAYS

Chaisson
Total—1

ABSENT

Table with 3 columns of names: Boissiere, Campbell, Dean, Total—8; Heitmeier, Jones, B, Jones, C; Marionneaux, Tarver.

The Chair declared the Conference Committee Report was adopted. Senator Cravins moved to reconsider the vote by which the report was adopted and laid the motion on the table.

CONFERENCE COMMITTEE REPORT
House Bill No. 53 By Representative Downer

April 16, 2002

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 53 by Representative Downer, recommend the following concerning the reingrossed bill:

- 1. That Senate Committee Amendments Nos. 1 through 16 proposed by the Senate Committee on Judiciary C and adopted by the Senate on April 9, 2002, be adopted.

- 2. That Senate Floor Amendments Nos. 1 through 2 proposed by Senator Dupre and adopted by the Senate on April 10, 2002, be adopted.
3. That Senate Floor Amendments Nos. 1 through 2 proposed by Senator Chaisson and adopted by the Senate on April 10, 2002, be adopted.
4. That Senate Floor Amendments Nos. 1 through 2 proposed by Senator Lambert and adopted by the Senate on April 10, 2002, be adopted.
5. That Senate Floor Amendments Nos. 1 through 8 proposed by Senators Dardenne and B. Jones and adopted by the Senate on April 10, 2002, be rejected.

Respectfully submitted,
Representatives: Senators:
Hunt Downer Reggie Dupre
Daniel R. Martiny Arthur J. "Art" Lentini

Rules Suspended

Senator Lentini asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report.

Senator Lentini moved that the Conference Committee Report be adopted.

Senator Holden moved as a substitute motion that the bill be recommitted to Conference Committee.

Senator Lentini objected.

ROLL CALL

The roll was called on the substitute motion with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Cain, Chaisson, Cravins, Total—15; Dardenne, Fields, Fontenot, Hines, Holden; Hollis, Irons, Johnson, Malone, Mount.

NAYS

Table with 3 columns of names: Mr. President, Bean, Dupre, Ellington, Gautreaux, Total—14; Heitmeier, Hoyt, Lambert, Lentini, Michot; Romero, Smith, Theunissen, Ullo.

ABSENT

Table with 3 columns of names: Boissiere, Campbell, Dean; Jones, C, Marionneaux, McPherson; Tarver, Thomas.

Jones, B  
Total—10

Schedler

The Chair declared the bill was recommitted to Conference Committee.

**CONFERENCE COMMITTEE REPORT  
House Bill No. 132 By Representative LeBlanc, et. al.**

April 17, 2002

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 132 by Representative LeBlanc, recommend the following concerning the engrossed bill:

- 1. That the set of Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on April 4, 2002, be adopted.
- 2. That the set of Senate Floor Amendments proposed by Senator Hines and adopted by the Senate on April 9, 2002, be rejected.

Respectfully submitted,

Representatives:  
Jerry Luke LeBlanc  
Joe R. Salter  
John A. Alario, Jr.

Senators:  
John L. "Jay" Dardenne  
Noble E. Ellington  
Donald E. Hines

**Rules Suspended**

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Dardenne, a vote was taken on the adoption of the report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President  
Bajoie  
Barham  
Bean  
Cain  
Chaisson  
Cravins  
Dardenne  
Dupre  
Ellington  
Fields  
Total—32

Fontenot  
Gautreaux  
Heitmeier  
Hines  
Holden  
Hollis  
Hoyt  
Irons  
Johnson  
Lambert  
Lentini

Malone  
McPherson  
Michot  
Mount  
Romero  
Schedler  
Smith  
Theunissen  
Thomas  
Ulló

**NAYS**

Total—0

**ABSENT**

Boissiere  
Campbell  
Dean  
Total—7

Jones, B  
Jones, C  
Marionneaux  
Tarver

The Chair declared the Conference Committee Report was adopted. Senator Dardenne moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**CONFERENCE COMMITTEE REPORT  
House Bill No. 165 By Representative Farrar**

April 16, 2002

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 165 by Representative Farrar, recommend the following concerning the engrossed bill:

- 1. That Senate Committee Amendments Nos. 1 and 2 proposed by the Senate Committee on Judiciary C and adopted by the Senate on April 8, 2002, be rejected.
- 2. That Senate Committee Amendment No. 3 proposed by the Senate Committee on Judiciary C and adopted by the Senate on April 8, 2002, be adopted.
- 3. That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 2, line 2, after "premises -" and before "dollars" change "sixty" to "seventy"

AMENDMENT NO. 2

On page 2, line 4, after "A-Restaurant -" and before "dollars" change "sixty" to "seventy"

Respectfully submitted,

Representatives:  
Rick Farrar  
T. Taylor Townsend

Senators:  
Reggie Dupre  
Melvin "Kip" Holden  
Arthur J. "Art" Lentini

**Rules Suspended**

Senator Holden asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Holden, a vote was taken on the adoption of the report.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Gautreaux	Malone
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Schedler
Dardenne	Irons	Smith
Dupre	Johnson	Theunissen
Ellington	Jones, B	Thomas
Fields	Lambert	Ullo
Fontenot	Lentini	
Total—32		

NAYS

Total—0

ABSENT

Mr. President	Dean	Tarver
Boissiere	Jones, C	
Campbell	Marionneaux	
Total—7		

The Chair declared the Conference Committee Report was adopted. Senator Holden moved to reconsider the vote by which the report was adopted and laid the motion on the table.

CONFERENCE COMMITTEE REPORT  
House Bill No. 130 By Representatives Schneider, et al.

April 17, 2002

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 130 by Representatives Schneider, et al., recommend the following concerning the engrossed bill:

1. That the Senate Committee Amendments proposed by the Senate Committee on Retirement and adopted by the Senate on April 8, 2002, be rejected.
2. That the Senate Floor Amendment proposed by Senator Hoyt and adopted by the Senate on April 16, 2002, be adopted.
5. That the Senate Floor Amendments proposed by Senator Boissiere and adopted by the Senate on April 16, 2002, be rejected.

That the following amendments to the engrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 11:416" and before "relative to" delete the comma "," and insert "and to enact R.S. 11: 416.1,"

AMENDMENT NO. 2

On page 1, line 12, after "reenacted" and before "to read" insert "and R.S. 11:416.1 is hereby enacted"

AMENDMENT NO. 3

On page 6, between lines 20 and 21, insert the following:

"§416.1. Reemployment of retirees under Act No. 455 of the 2001 Regular Session

A retiree who retired under the provisions of Act No. 455 of the 2001 Regular Session and was rehired prior to the effective date of this Section in employment which otherwise would render him eligible for membership in the system shall choose one of the following irrevocable options:

(1) Option 1 as provided in R.S. 11:416(A).

(2) Option 2 as provided in R.S. 11:416(A).

(3) Option 3 as provided in R.S. 11:416(A).

(4) Option 4. At the request of the retiree his retirement benefits shall be suspended for twelve months following the effective date of his retirement or until his reemployment ends, whichever occurs first. The retiree shall receive his retirement benefits after such suspension, but he shall accrue no additional service credit during reemployment. Under this option, neither the retiree nor the employer shall make any contribution to the system."

AMENDMENT NO. 4

On page 6, delete line 21 and insert "Section 2. R.S. 11:416.1 as enacted by Section 1 of this Act shall be applicable to any person who retired on or"

AMENDMENT NO. 5

On page 6, line 25, delete "three"

AMENDMENT NO. 6

On page 7, line 11, after "provisions" and before "of" insert "of R.S. 11:416.1 as enacted in Section 1"

Respectfully submitted,

Representatives:	Senators:
Daniel T. "Dan" Flavin	Reggie P. Dupre, Jr.
Matthew P. "Pete" Schneider, III	Fred R. Hoyt
Victor T. Stelly	William Joseph McPherson, Jr.

Rules Suspended

Senator McPherson asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator McPherson, a vote was taken on the adoption of the report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Theunissen
Dupre	Johnson	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—31		

**NAYS**

Total—0

**ABSENT**

Boissiere	Jones, B	Tarver
Campbell	Jones, C	Thomas
Dean	Marionneaux	
Total—8		

The Chair declared the Conference Committee Report was adopted. Senator McPherson moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**Appointment of Conference Committee on House Bill No. 144**

The President of the Senate appointed on the Conference Committee on House Bill No. 144 the following members of the Senate: Senators B. Jones, Thomas and Barham.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**HOUSE CONFEREES APPOINTED**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 116 by Senator Cain:

Representatives Salter, Lancaster and Murray.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF CONFERENCE COMMITTEE REPORT**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Bill No. 45.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF CONFERENCE COMMITTEE REPORT**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Bill No. 28.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Rules Suspended**

Senator Theunissen asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Introduction of Resolutions, Senate and Concurrent**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 35—**  
BY SENATOR THEUNISSEN

**A RESOLUTION**

To urge and request the Wildlife and Fisheries Commission to extend the oyster season in Calcasieu and Cameron parishes for two additional weeks.

On motion of Senator Theunissen, the resolution was read by title and adopted.

April 17, 2002

SENATE RESOLUTION NO. 36—

BY SENATOR MCPHERSON

A RESOLUTION

To direct the State Licensing Board for Contractors to comply with state law which provides exceptions to the licensing provisions for certain constructions undertaken by an owner.

On motion of Senator McPherson, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 37—

BY SENATOR MOUNT

A RESOLUTION

To express the support of the Senate of Louisiana to the Louisiana Serve Commission for its efforts to host a campus for the National Civilian Community Corps in Louisiana.

On motion of Senator Mount, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 38—

BY SENATOR HOLDEN

A RESOLUTION

To recognize and commend Major League Baseball Hall of Fame member, Lou Brock, for a lifetime of outstanding achievements and accomplishments in baseball, to pay tribute to his many contributions and lifelong service to his community, for inspiring young people throughout the country, and to wish him continued success in all of his future endeavors.

On motion of Senator Holden, the resolution was read by title and adopted.

Mr. President in the Chair

SENATE CONCURRENT RESOLUTION NO. 40—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of Ruth Udstad Fertel, business owner and founder of the national steakhouse chain, Ruth's Chris Steak House.

The resolution was read by title. Senator Hainkel moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Thomas

Ellington  
Fields  
Fontenot  
Total—34

Jones, C  
Lambert  
Lentini

Ullo

NAYS

Total—0

ABSENT

Boissiere  
Campbell  
Total—5

Dean  
Marionneaux

Tarver

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Regular Order of the Day

Reconsideration

On motion of Senator Heitmeier, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, April 9, 2002 was reconsidered.

HOUSE BILL NO. 115—

BY REPRESENTATIVE RICHMOND

AN ACT

To enact R.S. 13:2158(D), relative to constables of the First City Court of the city of New Orleans; to provide for the fees of office that the constables may charge in civil matters; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Heitmeier	McPherson
Bean	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Irons	Schedler
Dupre	Johnson	Theunissen
Ellington	Jones, C	Thomas
Fontenot	Lambert	Ullo
Gautreaux	Lentini	
Total—26		

NAYS

Mr. President  
Barham  
Total—5

Dardenne  
Jones, B

Malone

ABSENT

Boissiere  
Campbell

Fields  
Hoyt

Smith  
Tarver

Dean Marionneaux  
Total—8

The Chair declared the bill was passed.

**Personal Privilege**

Senator Hoyt asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on House Bill No. 115. He had intended to vote yea on the bill. He asked that the Official Journal so state.

**Reconsideration**

On motion of Senator Hollis, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, April 15, 2002 was reconsidered.

**HOUSE BILL NO. 89—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 40:1625 through 1631, 1636, and 1637 and to enact R.S. 40:1638, relative to fire protection sprinkler systems contractors; to provide for definitions; to provide for administration and regulation; to provide for licensing; to provide for fees; to provide for prohibited activity; to provide for renewal, reinstatement, and revocation of permits, certificates, and licenses; to provide for fines; to provide for a Fire Sprinkler Trust Fund; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Gautreaux	Lentini
Barham	Hines	Malone
Bean	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, C	Ullo
Fontenot	Lambert	
Total—29		

NAYS

Total—0

ABSENT

Mr. President	Fields	Schedler
Boissiere	Heitmeier	Tarver
Campbell	Marionneaux	
Dean	McPherson	
Total—10		

The Chair declared the bill was passed.

**Reconsideration**

On motion of Senator McPherson, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, April 9, 2002 was reconsidered.

**HOUSE BILL NO. 29—**

BY REPRESENTATIVE CURTIS

AN ACT

To enact R.S. 13:1899(C)(15), relative to the office of the marshal of the City Court of Alexandria; to increase court costs in criminal and traffic violation cases for the purpose of defraying the expenses of office; and to provide for related matters.

The bill was read by title. Senator McPherson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Gautreaux	Lambert
Bean	Heitmeier	Lentini
Cain	Hines	McPherson
Chaisson	Holden	Michot
Cravins	Hollis	Mount
Dupre	Hoyt	Romero
Ellington	Irons	Smith
Fields	Johnson	Thomas
Fontenot	Jones, C	Ullo
Total—27		

NAYS

Dardenne	Malone
Jones, B	Theunissen
Total—4	

ABSENT

Mr. President	Campbell	Schedler
Barham	Dean	Tarver
Boissiere	Marionneaux	
Total—8		

The Chair declared the bill was passed.

**Rules Suspended**

Senator Hoyt asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**House Concurrent Resolutions to be Adopted, Subject to Call**

The following House Concurrent Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

April 17, 2002

Called from the Calendar

Senator Hoyt asked that House Concurrent Resolution No. 49 be called from the Calendar at this time.

HOUSE CONCURRENT RESOLUTION NO. 49—

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to resurface a portion of Louisiana Highway 335 in Vermilion Parish; to enter the resurfacing project into the Highway Priority Program, and to give the road a high priority rating.

The resolution was read by title. Senator Hoyt moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Cain, Chaisson, Dardenne, Dupre, Ellington, Fields, Total—30; Fontenot, Gautreaux, Heitmeier, Hines, Holden, Hollis, Hoyt, Johnson, Jones, C, Lambert; Lentini, Malone, McPherson, Michot, Mount, Romero, Smith, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns of names: Boissiere, Campbell, Cravins, Total—9; Dean, Irons, Jones, B; Marionneaux, Schedler, Tarver.

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Called from the Calendar

Senator Hoyt asked that House Concurrent Resolution No. 50 be called from the Calendar at this time.

HOUSE CONCURRENT RESOLUTION NO. 50—

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to resurface Louisiana Highway 693 from its intersection with Louisiana Highway 335 to its intersection with Louisiana Highway 82 in Vermilion Parish prior to the commencement of the 2003 Regular Session; to request that the

resurfacing of Louisiana Highway 693 be added to the Highway Priority Program and receive a high priority ranking.

The resolution was read by title. Senator Hoyt moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Cain, Chaisson, Dardenne, Dupre, Ellington, Fields, Total—30; Fontenot, Gautreaux, Heitmeier, Hines, Holden, Hollis, Hoyt, Johnson, Jones, C, Lambert; Lentini, Malone, McPherson, Michot, Mount, Romero, Smith, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns of names: Boissiere, Campbell, Cravins, Total—9; Dean, Irons, Jones, B; Marionneaux, Schedler, Tarver.

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ADOPTION OF CONFERENCE COMMITTEE REPORT

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 130.

Respectfully submitted, ALFRED W. SPEER Clerk of the House of Representatives

Message from the House

ADOPTION OF CONFERENCE COMMITTEE REPORT

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 129.

Respectfully submitted, ALFRED W. SPEER Clerk of the House of Representatives

Senator Lambert in the Chair

Rules Suspended

Senator Hoyt asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Reports of Committees

The following reports of committees were received and read:

CONFERENCE COMMITTEE REPORT House Bill No. 129 By Representatives Schneider, DeWitt, and Daniel

April 17, 2002

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 129 by Representatives Schneider, DeWitt, and Daniel, recommend the following concerning the reengrossed bill:

- 1. That the Senate Committee Amendments proposed by the Senate Committee on Retirement and adopted by the Senate on April 8, 2002, be adopted.
2. That Amendments Nos. 1 and 2 of the Senate Floor Amendments proposed by Senator Boissiere and adopted by the Senate on April 15, 2002, be adopted.
3. That Amendment No. 3 of the Senate Floor Amendments proposed by Senator Boissiere and adopted by the Senate on April 15, 2002, be rejected.
4. That the following amendment be adopted:

AMENDMENT NO. 1

On page 3, at the end of line 8, insert the following:

Notwithstanding any provision of law to the contrary, no such employee who is appointed after December 7, 2003, to the position which would otherwise make him eligible to participate in the optional retirement plan pursuant to this Subparagraph shall be permitted to enroll in the optional retirement plan.

(2) If, pursuant to this Paragraph Subsection, an election is made by a current member of the defined benefit plan to participate in the optional retirement plan, then the employee contributions that were made on behalf of such member in the defined benefit plan shall be transferred to the participant's optional retirement plan.

Respectfully submitted, Representatives: Pete Schneider, Victor T. Stelly, Daniel T. Flavin

Respectfully submitted, Senators: Reggie Dupre, Fred Hoyt, Joe McPherson

Rules Suspended

Senator Hoyt asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Hoyt, a vote was taken on the adoption of the report.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Gautreaux, Lentini; Bajoie, Heitmeier, Malone; Barham, Hines, McPherson; Bean, Holden, Michot; Cain, Hollis, Mount; Dardenne, Hoyt, Smith; Dupre, Johnson, Theunissen; Ellington, Jones, C, Thomas; Fields, Lambert, Ullo; Total—27

NAYS

Total—0

ABSENT

Table with 3 columns: Boissiere, Dean, Marionneaux; Campbell, Fontenot, Romero; Chaisson, Irons, Schedler; Cravins, Jones, B, Tarver; Total—12

The Chair declared the Conference Committee Report was adopted. Senator Hoyt moved to reconsider the vote by which the report was adopted and laid the motion on the table.

Recess

On motion of Senator Ellington, the Senate took a recess until 5:00 o'clock P.M.

After Recess

The Senate was called to order at 5:00 o'clock P.M. by the President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Table with 3 columns of names: Bajoie, Barham, Bean, Cain, Chaisson, Cravins, Dardenne, Dupre, Ellington, Fontenot, Holden, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini, Malone, Michot, Mount, Romero, Schedler, Smith, Theunissen, Thomas, Ullo.

ABSENT

Table with 3 columns of names: Mr. President, Boissiere, Campbell, Dean, Fields, Gautreaux, Heitmeier, Hines, Marionneaux, McPherson, Tarver.

The President of the Senate announced there were 28 Senators present and a quorum.

Senate Business Resumed

Rules Suspended

Senator Hoyt asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 70—

BY REPRESENTATIVE CAZAYOUX

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Wilbert J. Ramagos of New Roads, Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 71—

BY REPRESENTATIVE CAZAYOUX

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Andrew A. Grezaffi, Sr. of New Roads, Louisiana.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

Senator Smith asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 70—

BY REPRESENTATIVE CAZAYOUX

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Wilbert J. Ramagos of New Roads, Louisiana.

The resolution was read by title. Senator Holden moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Cain, Chaisson, Cravins, Dardenne, Dupre, Ellington, Fields, Fontenot, Hines, Holden, Hollis, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini, Malone, Michot, Mount, Romero, Schedler, Smith, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns of names: Mr. President, Boissiere, Dean, Gautreaux, Heitmeier, Marionneaux, McPherson, Tarver.

Campbell Hoyt  
Total—11

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**HOUSE CONCURRENT RESOLUTION NO. 71—**  
BY REPRESENTATIVE CAZAYOUX

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Andrew A. Grezaffi, Sr. of New Roads, Louisiana.

The resolution was read by title. Senator Ellington moved to concur in the House Concurrent Resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Hines	Malone
Barham	Holden	Michot
Cain	Hollis	Mount
Chaisson	Irons	Romero
Cravins	Johnson	Smith
Dardenne	Jones, B	Theunissen
Dupre	Jones, C	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—25		

NAYS

Total—0

ABSENT

Mr. President	Fontenot	McPherson
Bean	Gautreaux	Schedler
Boissiere	Heitmeier	Tarver
Campbell	Hoyt	Thomas
Dean	Marionneaux	
Total—14		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Bill No. 66.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Rules Suspended**

Senator Lentini asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Reports of Committees**

The following reports of committees were received and read:

**Rules Suspended**

Senator Lentini asked for and obtained a suspension of the rules and recalled the Conference Committee report on House Bill No. 53 from the Conference Committee.

**CONFERENCE COMMITTEE REPORT  
House Bill No. 53 By Representative Downer**

April 16, 2002

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 53 by Representative Downer, recommend the following concerning the reengrossed bill:

1. That Senate Committee Amendments Nos. 1 through 16 proposed by the Senate Committee on Judiciary C and adopted by the Senate on April 9, 2002, be adopted.
2. That Senate Floor Amendments Nos. 1 through 2 proposed by Senator Dupre and adopted by the Senate on April 10, 2002, be adopted.
3. That Senate Floor Amendments Nos. 1 through 2 proposed by Senator Chaisson and adopted by the Senate on April 10, 2002, be adopted.
4. That Senate Floor Amendments Nos. 1 through 2 proposed by Senator Lambert and adopted by the Senate on April 10, 2002, be adopted.
5. That Senate Floor Amendments Nos. 1 through 8 proposed by Senators Dardenne and B. Jones and adopted by the Senate on April 10, 2002, be rejected.

Respectfully submitted,

Representatives:  
Hunt Downer  
Daniel R. Martiny

Senators:  
Reggie Dupre  
Arthur J. "Art" Lentini

**Rules Suspended**

Senator Lentini asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. Senator Lentini, moved to adopt the Conference Committee Report.

Senator Holden objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Fields	Michot
Barham	Hines	Mount
Bean	Hoyt	Romero
Cain	Irons	Schedler
Chaisson	Johnson	Smith
Cravins	Jones, B	Theunissen
Dardenne	Jones, C	Ullo
Dupre	Lambert	
Ellington	Lentini	

Total—25

**NAYS**

Holden  
Total—1

**ABSENT**

Mr. President	Gautreaux	McPherson
Boissiere	Heitmeier	Tarver
Campbell	Hollis	Thomas
Dean	Malone	
Fontenot	Marionneaux	

Total—13

The Chair declared the Conference Committee Report was adopted. Senator Lentini moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**CONFERENCE COMMITTEE REPORT**

**House Concurrent Resolution No. 27 By Representative Curtis**

April 17, 2002

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Concurrent Resolution

No. 27 by Representative Curtis, recommend the following concerning the engrossed resolution:

1. That the set of Senate Committee Amendments proposed by the Senate Committee on Education and adopted by the Senate on April 10, 2002, be rejected.

Respectfully submitted,

Representatives:  
Israel B. Curtis  
Carl Crane  
Edwin R. Murray

Senators:  
Donald E. Hines  
Gerald J. Theunissen

**Rules Suspended**

Senator Hines asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Hines, a vote was taken on the adoption of the report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Fontenot	Lentini
Barham	Hines	Malone
Bean	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Irons	Schedler
Dupre	Johnson	Smith
Ellington	Jones, C	Thomas
Fields	Lambert	Ullo

Total—27

**NAYS**

Total—0

**ABSENT**

Mr. President	Dean	Marionneaux
Boissiere	Gautreaux	McPherson
Campbell	Heitmeier	Tarver
Dardenne	Jones, B	Theunissen

Total—12

The Chair declared the Conference Committee Report was adopted. Senator Hines moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**CONFERENCE COMMITTEE REPORT**

**House Bill No. 164 By Representatives Daniel and DeWitt**

April 17, 2002

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 164 by Representatives Daniel and DeWitt, recommend the following concerning the engrossed bill:

1. That the Senate Committee amendment proposed by the Senate Committee on Natural Resources and adopted by the Senate on April 9, 2002, be rejected.
2. That the Senate Floor amendments proposed by the Senator Malone and adopted by the Senate on April 15, 2002, be rejected.
3. That the following amendments to the bill be adopted:

AMENDMENT NO. 1

On page 1, delete lines 2 and 3 in their entirety and insert in lieu thereof the following:

"To enact R.S. 31:149.3, relative to prescription of mineral"

AMENDMENT NO. 2

On page 1, delete lines 8 through 17 in their entirety and on page 2, delete lines 1 through 14 in their entirety and insert in lieu thereof the following:

"Section 1. R.S. 31:149.3 is hereby enacted to read as follows:

§149.3. Mineral rights imprescriptible when reserved from acquisitions for certain conservation or preservation purposes

A. When land is acquired from any person by the United States or the state of Louisiana, or any subdivision or agency of either, or any legal entity with expropriation authority, or any organization certified by the secretary of the Department of Natural Resources to be a state or national, nonprofit land conservation organization, by conventional deed, donation, or other contract or by condemnation or expropriation proceedings and by the act of acquisition, order, or judgment, a mineral right otherwise subject to the prescription of nonuse is reserved, the prescription of nonuse shall not run against the right so long as the title to the land remains with the acquiring entity. In addition, if the acquisition of the land is for the purpose of inclusion in a national wildlife refuge, a national park, or any wildlife refuge, wildlife management area, public hunting ground, upland game reserve, or wildlife sanctuary established by the Louisiana Department of Wildlife and Fisheries pursuant to the provisions of R.S. 56:781, et seq., or for the public purpose of protection, conservation, replenishment, or management of the natural resources of the state, including natural and scenic rivers, wetlands, and renewable coastal resources, or the wildlife of the state, including all manner of aquatic life, wild birds, and wild quadrupeds, and if title of the land is subsequently transferred to a person, public or private, as a result of an exchange for land owned by that person and if the exchange is to further the purposes of the original land acquisition, prescription of nonuse shall not run. The act of acquisition, order, or judgment shall provide that the mineral right is reserved and that the prescription of nonuse shall not run. Except as provided in this Section, at such time as title to the land transfers to a private person who uses it for a purpose other than one of those provided in this Section, the prescription of nonuse shall begin to run under the provisions of this Title.

B. Whenever lands are acquired under the provisions of this Section for the principle purpose of facilitating the development, design, and implementation of coastal restoration projects, the secretary of the Department of Natural Resources may contemporaneously enter into an agreement with the transferor of such lands with respect to the ownership of subsurface minerals as provided in R.S. 41:1702(D)(2)(a)."

AMENDMENT NO. 3

On page 2, line 15, change "Section 3." to "Section 2."

Respectfully submitted,

Representatives:	Senators:
William B. Daniel, IV	Craig F. Romero
Wilfred Pierre	Max T. Malone
Charlie DeWitt	Bill Jones

**Rules Suspended**

Senator Malone asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Malone, a vote was taken on the adoption of the report.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Hines	Michot
Barham	Holden	Mount
Bean	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Lambert	Ullo
Fontenot	Malone	

Total—26

NAYS

Total—0

ABSENT

Mr. President	Fields	Marionneau
Boissiere	Gautreux	McPherson
Campbell	Heitmeier	Tarver
Cravins	Jones, C	
Dean	Lentini	

Total—13

The Chair declared the Conference Committee Report was adopted. Senator Malone moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**Messages from the House**

The following Messages from the House were received and read as follows:

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 40— BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of Ruth Udstad Fertel, business owner and founder of the national steakhouse chain, Ruth's Chris Steak House.

Reported without amendments.

Respectfully submitted, ALFRED W. SPEER Clerk of the House of Representatives

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 72— BY REPRESENTATIVE CAZAYOUX

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Lynn Joseph Schexnayder of New Roads.

HOUSE CONCURRENT RESOLUTION NO. 73— BY REPRESENTATIVE SCHWEGMANN

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Ruth Fertel, the founder of Ruth's Chris Steak House.

Respectfully submitted, ALFRED W. SPEER Clerk of the House of Representatives

House Concurrent Resolutions

Senator B. Jones asked for and obtained a suspension of the rules to take up at this time the following House Concurrent

Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 72—

BY REPRESENTATIVE CAZAYOUX

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Lynn Joseph Schexnayder of New Roads.

The resolution was read by title. Senator Ellington moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Cain, Chaisson, Cravins, Dardenne, Dupre, Ellington, Hines, Holden, Hollis, Hoyt, Irons, Johnson, Jones, B, Jones, C, Lambert, Lentini, Michot, Mount, Romero, Schedler, Smith, Theunissen, Thomas, Ullo. Total—27

NAYS

Total—0

ABSENT

Table with 3 columns of names: Mr. President, Boissiere, Campbell, Dean, Fields, Fontenot, Gautreaux, Heitmeier, Malone, Marionneaux, McPherson, Tarver. Total—12

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 73—

BY REPRESENTATIVE SCHWEGMANN

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Ruth Fertel, the founder of Ruth's Chris Steak House.

The resolution was read by title. Senator Ullo moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Cain, Holden, Hollis, Hoyt, Irons, Malone, Michot, Mount, Romero

Chaisson	Johnson	Schedler
Cravins	Jones, B	Smith
Dardenne	Jones, C	Theunissen
Dupre	Lambert	Thomas
Hines	Lentini	Ullo
Total—27		

NAYS

Total—0

ABSENT

Mr. President	Ellington	Heitmeier
Boissiere	Fields	Marionneaux
Campbell	Fontenot	McPherson
Dean	Gautreaux	Tarver
Total—12		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

**Rules Suspended**

Senator B. Jones asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Reports of Committees**

The following reports of committees were received and read:

**CONFERENCE COMMITTEE REPORT  
House Bill No. 144 By Representative Hammett**

April 17, 2002

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 144 by Representative Hammett, recommend the following concerning the reengrossed bill:

1. That Senate Committee Amendments Nos. 1 through 73 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on April 16, 2002, be adopted.
2. That the set of Senate Floor Amendments proposed by Senator Michot and adopted by the Senate on April 17, 2002, be adopted.
3. That the set of Senate Floor Amendments proposed by Senator Hollis and adopted by the Senate on April 17, 2002, be adopted.
4. That the set of Senate Floor Amendments proposed by Senator Lambert and adopted by the Senate on April 17, 2002, be adopted.

5. That the set of Senate Floor Amendments consisting of one amendment proposed by Senator B. Jones on April 17, 2002, be adopted.
6. That the set of Senate Floor Amendments consisting of two amendments proposed by Senator B. Jones on April 17, 2002, be adopted.
7. That the set of Senate Floor Amendments consisting of 12 amendments proposed by Senator B. Jones on April 17, 2002, be adopted.
8. That the set of Senate Floor Amendments proposed by Senator Barham and adopted by the Senate on April 17, 2002, be rejected.
9. That the set of Senate Floor Amendments proposed by Senator Thomas and adopted by the Senate on April 17, 2002, be adopted.
10. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 16, line 21, after "(2)" insert "(a)"

AMENDMENT NO. 2

On page 16, between lines 25 and 26, insert the following:

"(b)(i) No contract shall be executed under this Chapter with an employer who employs more than fifty employees who has entered into a contract or other agreement with any person or entity in which the employer is required to pay to or otherwise give consideration to such person or entity contingent upon their success in obtaining benefits provided for in this Chapter.

(ii) Violation of the provisions of this Subparagraph shall void the contract and any rebates paid to the employer prior to the date of the discovery of such violation shall be added to the income tax liability of the employer for the taxable year in which the discovery occurred, with interest from the date of violation, and the employer shall receive no further rebates pursuant to this Chapter."

Representatives:  
Bryant O. Hammett, Jr.  
John A. Alario, Jr.  
Edwin R. Murray

Respectfully submitted,  
Senators:  
Bill Jones  
Jerry A. Thomas  
Robert J. Barham

**Rules Suspended**

Senator B. Jones asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator B. Jones, a vote was taken on the adoption of the report.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Hines	Michot
Barham	Holden	Mount
Bean	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Johnson	Smith
Cravins	Jones, B	Theunissen
Dardenne	Jones, C	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Fontenot	Malone	
Total—28		

**NAYS**

Total—0

**ABSENT**

Mr. President	Fields	Marionneaux
Boissiere	Gautreaux	McPherson
Campbell	Heitmeier	Tarver
Dean	Irons	
Total—11		

The Chair declared the Conference Committee Report was adopted. Senator B. Jones moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**Personal Privilege**

Senator Irons asked for and obtained the floor of the Senate on a point of personal privilege, and stated she appeared as absent on the vote on the Conference Committee Report on House Bill No. 144. She had intended to vote yea on the Conference Committee Report. She asked that the Official Journal so state.

**Rules Suspended**

Senator Ellington asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 164.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 144.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Message from the House**

**ADOPTION OF  
CONFERENCE COMMITTEE REPORT**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to Senate Bill No. 71.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Rules Suspended**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Introduction of Senate Resolutions**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 39**

BY SENATOR LAMBERT

**A RESOLUTION**

BE IT RESOLVED by the Senate of the State of Louisiana that a committee of five be appointed by the President of the Senate to serve with a like committee from the House of Representatives to notify the Governor that the Legislature of

the State of Louisiana has completed its labors and is now ready to adjourn sine die.

On motion of Senator Lambert, the resolution was read by title and adopted.

In compliance with the resolution the President of the Senate appointed the following committee: Senators Schedler, Ellington, Thomas, Bajoie and Irons.

#### SENATE RESOLUTION NO. 40

BY SENATOR LAMBERT

##### A RESOLUTION

BE IT RESOLVED by the Senate of the State of Louisiana that a committee of five be appointed by the President of the Senate to notify the House of Representatives that the Senate has completed its labors and is now ready to adjourn sine die.

On motion of Senator Lambert, the resolution was read by title and adopted.

In compliance with the resolution the President of the Senate appointed the following committee: Senators Holden, Lentini, Malone, Mount and C. Jones.

#### Reports of Committees

The committee to notify the Governor that the Senate had completed its labors and was ready to adjourn sine die returned and reported it had performed that duty. The President of the Senate thanked the Committee and discharged it.

The committee to notify the House of Representatives that the Senate had completed its labors and was ready to adjourn sine die returned and reported it had performed that duty. The President of the Senate thanked the committee and discharged it.

#### Committee from the House of Representatives

A committee from the House of Representatives appeared before the Bar of the Senate and informed the Senate that the House of Representatives was organized and ready to adjourn sine die.

#### Privilege Report of the Committee on Senate and Governmental Affairs

#### ENROLLMENTS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 17, 2002

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

#### SENATE BILL NO. 2—

BY SENATORS THOMAS, HINES AND SMITH AND REPRESENTATIVES THOMPSON, ALARIO, BALDONE, BAUDOIN, BAYLOR, BRUCE, R. CARTER, CAZAYOUX, CURTIS, DAMICO, DARTEZ, ERDEY, FAUCHEUX, FRITH, FRUGE, FUTRELL, GLOVER, GREEN, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, ILES, L. JACKSON, JOHNS, KATZ, KENNEY, LUCAS, MCCALLUM, McDONALD, MONTGOMERY, MURRAY, NEVERS, PIERRE, POWELL, PRATT, QUEZAIRE, RICHMOND, ROMERO, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, STRAIN, WADDELL, WALSWORTH, WELCH, WOOTON AND WRIGHT

##### AN ACT

To amend and reenact R.S. 3:493, relative to the direct sale by a farmer to consumers of farm products; to authorize the employees of farmers to sell such farm products; to prohibit imposition of any permit or license fee or tax on a farmer or farmer's employee selling farm produce directly to consumers; and to provide for related matters.

#### SENATE BILL NO. 4—

BY SENATOR SMITH AND REPRESENTATIVE R. ALEXANDER

##### AN ACT

To enact R.S. 13:2113, relative to the City Court of Winnfield; to provide for the transfer of surplus funds from the court's civil fee account to the court's general operational fund; and to provide for related matters.

#### SENATE BILL NO. 21—

BY SENATORS SCHEDLER AND ULLO

##### AN ACT

To amend and reenact R.S. 15:587(A)(1)(b) and (c), and (B) and R.S. 40:1300.52(B)(2), and to enact R.S. 15:598, relative to the Louisiana Bureau of Criminal Identification and Information; to provide with respect to criminal history checks; to provide for fees for civil applicant processing; to create the Criminal Identification and Information Fund in the state treasury; to provide for the purpose, appropriation, and investment of monies in the fund; and to provide for related matters.

#### SENATE BILL NO. 22—

BY SENATORS SCHEDLER, HAINKEL AND THOMAS AND REPRESENTATIVES NEVERS AND STRAIN

##### AN ACT

To enact R.S. 13:961(F)(1)(n), relative to courts and judicial procedure; to provide with respect to court reporters; to provide for the compensation of court reporters in the Twenty-Second Judicial District Court; and to provide for related matters.

#### SENATE BILL NO. 26—

BY SENATOR HAINKEL

##### AN ACT

To amend and reenact R.S. 38:2212(A)(3)(a), 2212.1(B)(1), 2237(A)(6), and 2238.2(A)(2)(a) and (b), relative to public contracts; to authorize certain advertisements by electronic media; and to provide for related matters.

#### SENATE BILL NO. 27—

BY SENATORS HAINKEL AND MALONE AND REPRESENTATIVE BRUNEAU

##### A JOINT RESOLUTION

Proposing to enact Article X, Section 25.1 of the Constitution of Louisiana, relative to state and local public employees; to require that the legislature provide by law for the removal of a state or local public employee upon conviction of a felony; and

April 17, 2002

to specify an election for submission of the proposition to electors and provide a ballot proposition.

SENATE BILL NO. 51—

BY SENATORS CAMPBELL, CHAISSON, CRAVINS AND FIELDS AND REPRESENTATIVES DIEZ, ILES, MONTGOMERY, THOMPSON AND TOWNSEND

AN ACT

To enact R.S. 48:386.1, relative to railroads; to provide for the maintenance of railroad rights of way; to provide for definitions; to provide for notice for failure to maintain rights of way; to provide for fines; to provide for limitation of liability; and to provide for related matters.

SENATE BILL NO. 52—

BY SENATORS CAMPBELL, BARHAM, BEAN, BOISSIERE, CHAISSON, CRAVINS, DARDENNE, DUPRE, ELLINGTON, FIELDS, HEITMEIER, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MICHOT, MOUNT, SCHEDLER, SMITH, TARVER, THEUNISSEN, AND ULLO AND REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact R.S. 32:169(E) and to enact R.S. 32:169(G), relative to railroads; to provide for cross buck, stop and warning signs; to require traffic control devices at all public railroad grade crossings located within one-half mile of any elementary or secondary school; to require the Department of Transportation and Development in cooperation with each parish superintendent of transportation to identify all public highway railroad grade crossings on state highways located within one-half mile of any elementary or secondary school; to provide for reports on such surveys of crossings; to provide relative to the limitation of liability under certain circumstances; and to provide for related matters.

SENATE BILL NO. 60(Duplicate of House Bill No. 55)—

BY SENATOR BAJOIE AND REPRESENTATIVE MURRAY AND COAUTHORED BY SENATORS BOISSIERE, JOHNSON AND IRONS AND REPRESENTATIVES CAPELLA, HEATON, PRATT AND RICHMOND

AN ACT

To enact R.S. 13:1312(D), relative to the Judicial Expense Fund of the Civil District Court for the Parish of Orleans and the First and Second City Courts of the city of New Orleans; to authorize the judges en banc to utilize the fund for the planning, designing, and construction of a new courthouse; and to provide for related matters.

SENATE BILL NO. 61—

BY SENATORS BAJOIE AND JOHNSON AND REPRESENTATIVES CAPELLA, HEATON, MURRAY, PRATT AND RICHMOND

AN ACT

To enact R.S. 13:2496.3, relative to the Municipal Court of New Orleans; to create the office of first appearance hearing officer; to authorize the judges of the court to appoint the hearing officer; to provide for qualifications for office; to provide for salary of office; to provide for duties of office; to provide for a termination date of office; and to provide for related matters.

SENATE BILL NO. 65—

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE

AN ACT

To enact R.S. 18:532.1 (G)(2)(f), (g), (h), and (H), relative to precincts; to allow certain parish governing authorities to consolidate certain precincts; to provide for the effective date of

certain precincts; to provide for approval and review of certain precinct changes; and to provide for related matters.

SENATE BILL NO. 68—

BY SENATORS SCHEDLER, HINES AND B. JONES AND REPRESENTATIVES ALARIO, R. ALEXANDER, BALDONE, BAUDOIN, BAYLOR, BOWLER, BROOME, BRUCE, CAPELLA, K. CARTER, R. CARTER, CLARKSON, CRANE, CURTIS, DAMICO, DARTEZ, DEVILLIER, DEWITT, DOERGE, DOWNER, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, GALLOT, GLOVER, GREEN, GUILLORY, HEATON, HEBERT, HILL, HONEY, HUNTER, HUTTER, ILES, L. JACKSON, M. JACKSON, JOHNS, KATZ, KENNARD, LUCAS, MARTINY, MCCALLUM, MCDONALD, MONTGOMERY, MORRELL, MURRAY, NEVERS, PIERRE, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, SCALISE, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, STELLY, STRAIN, THOMPSON, TOOMY, TOWNSEND, TUCKER, WELCH, WINSTON AND WOOTON

AN ACT

To enact Chapter 11-F of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:1901, relative to the creation of the Louisiana Health Works Commission; to provide for membership of the commission; to provide for compensation for members; to provide for staff and facilities; to provide for powers and duties of the commission, including the creation of the Allied Health Workforce Council; and to provide for related matters.

SENATE BILL NO. 82—

BY SENATORS ELLINGTON AND SMITH AND REPRESENTATIVES THOMPSON, ALARIO, E. ALEXANDER, R. ALEXANDER, ANSARDI, BALDONE, BAUDOIN, BROOME, BRUCE, CAPELLA, R. CARTER, CAZAYOUX, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DIEZ, DOERGE, DOWNER, DURAND, ERDEY, FARRAR, FAUCHEUX, FLAVIN, FRITH, FRUGE, GALLOT, GLOVER, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HUDSON, HUNTER, HUTTER, ILES, M. JACKSON, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LUCAS, MARTINY, MCCALLUM, MCDONALD, MONTGOMERY, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, PITRE, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, SALTER, SCHNEIDER, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, STRAIN, TOWNSEND, WADDELL, WALSWORTH, WELCH AND WOOTON

AN ACT

To enact R.S. 3:4617(C), relative to the direct sale by farmers of farm products to consumers; to provide for vendor fraud involving the sale of food products; and to provide for related matters.

SENATE BILL NO. 97—

BY SENATORS CAIN AND ULLO

AN ACT

To enact R.S. 18:1505.2(Q), relative to campaign finance; to prohibit the contribution, loan, expenditure, transfer, or other use of certain funds; to provide for penalties; and to provide for related matters.

SENATE BILL NO. 112—

BY SENATORS HOLLIS, HAINKEL, LENTINI, HEITMEIER AND ULLO AND REPRESENTATIVES ANSARDI, BOWLER, FAUCHEUX, GREEN, LANCASTER, SCALISE, SNEED, TOOMY, AND TUCKER

AN ACT

To amend and reenact R.S. 39:1367(E)(2)(a)(iv), R.S. 47:820.2(B)(3)(d), and to enact R.S. 39:1367(E)(2)(a)(v), relative to the state debt limit; to provide for the use of funds subject to the state debt limit; to provide for the definition of net state tax supported debt; to authorize the Department of Transportation and Development to enter into cooperative endeavor agreements with certain local governing authorities for completion of certain projects; to authorize certain reimbursements from the TIMED program; and to provide for related matters.

Respectfully submitted,  
CHRIS ULLO  
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

**Privilege Report of the Committee on Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 17, 2002

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly enrolled:

**SENATE CONCURRENT RESOLUTION NO. 1—**  
BY SENATOR FIELDS

**A CONCURRENT RESOLUTION**

To request that the Senate and House committees on insurance act as a joint committee to study the information submitted by insurers to the Insurance Rating Commission when seeking rate increases or adjustments and whether such information submitted is sufficient to justify such increase or adjustment and the practices of the commission and factors considered by the commission in granting or denying a rate increase or adjustment.

**SENATE CONCURRENT RESOLUTION NO. 16—**  
BY SENATOR C. JONES

**A CONCURRENT RESOLUTION**

To direct certain entities of the state, as provided for in Title 36 of the Louisiana Revised Statutes of 1950, to provide information relative to the development of a strategic plan to combat poverty.

**SENATE CONCURRENT RESOLUTION NO. 37—**  
BY SENATORS C. JONES AND MARIONNEAUX

**A CONCURRENT RESOLUTION**

To request the Department of Insurance and the Department of Health and Hospitals to study the state's compliance with the administration simplification component of the Health Insurance Portability and Accountability Act of 1996.

**SENATE CONCURRENT RESOLUTION NO. 38—**  
BY SENATORS DUPRE, CHAISSON AND GAUTREAUX AND REPRESENTATIVES PITRE, TRICHE, DOWNER AND BALDONE

**A CONCURRENT RESOLUTION**

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of former Lockport Mayor Alfred "Al" Robichaux.

**SENATE CONCURRENT RESOLUTION NO. 39—**

BY SENATORS CRAVINS, BAJOIE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVE FAUCHEUX

**A CONCURRENT RESOLUTION**

To commend Wilmer J. "Shorty" Baudoin for his contributions and many years of loyal and dedicated service to the Senate of the Legislature of Louisiana and to extend appreciation and support for his continued service as Sergeant at Arms for the Louisiana State Senate.

Respectfully submitted,  
CHRIS ULLO  
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

**Privilege Report of the Committee on Senate and Governmental Affairs**

**ENROLLMENTS**

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 17, 2002

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Resolutions have been properly enrolled:

**SENATE RESOLUTION NO. 21—**  
BY SENATOR HOYT

**A RESOLUTION**

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of Dr. James Joseph Camel of Kaplan.

**SENATE RESOLUTION NO. 23—**  
BY SENATOR LAMBERT

**A RESOLUTION**

To express the sincere and heartfelt condolences of the Senate upon the death of Mr. Crawford Alexander Bishop, member of the Board of Commissioners of the River Region Cancer Screening and Early Detection District.

**SENATE RESOLUTION NO. 24—**  
BY SENATOR BARHAM

**A RESOLUTION**

To commend Morehouse Parish School Superintendent, Michael W. Faulk, on the occasion of his retirement.

**SENATE RESOLUTION NO. 26—**

BY SENATORS BAJOIE AND JOHNSON

**A RESOLUTION**

To create a subcommittee of the Senate Local and Municipal Affairs Committee to study the feasibility of selling or leasing the Louis Armstrong International Airport and report its findings to the legislature by March 1, 2003.

**SENATE RESOLUTION NO. 27—**

BY SENATOR CAIN

**A RESOLUTION**

To memorialize the Congress of the United States to adopt a tax credit for companies for the cost of converting from groundwater to reclaimed water and to provide interest free loans to municipalities to construct waste water treatment/reclamation projects.

Respectfully submitted,  
CHRIS ULLO  
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

**Message to the Secretary of State**

**SIGNED**

**SENATE CONCURRENT RESOLUTIONS**

April 17, 2002

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 13—**

BY SENATORS BAJOIE AND JOHNSON AND REPRESENTATIVE K. CARTER

**A CONCURRENT RESOLUTION**

To create a subcommittee of the Senate Local and Municipal Affairs Committee and the House of Representatives Municipal, Parochial and Cultural Affairs Committee to study the feasibility of selling or leasing the Louis Armstrong International Airport and report its findings to the legislature by March 1, 2003.

**SENATE CONCURRENT RESOLUTION NO. 29—**

BY SENATOR MCPHERSON AND REPRESENTATIVE FARRAR

**A CONCURRENT RESOLUTION**

To urge and request all state departments to comply with the state's existing policies, allowing state employees to continue their educational leave under certain conditions.

**SENATE CONCURRENT RESOLUTION NO. 34—**

BY SENATORS MOUNT, BAJOIE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAU, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVE GUILLORY

**A CONCURRENT RESOLUTION**

To urge and request the United States Postal Service to issue a Louisiana Purchase Bicentennial Stamp and to include on such stamp the official Louisiana Purchase Bicentennial logo.

**SENATE CONCURRENT RESOLUTION NO. 35—**

BY SENATOR ROMERO AND REPRESENTATIVE ROMERO

**A CONCURRENT RESOLUTION**

To express the sincere and heartfelt condolences of the Legislature of Louisiana on the death of Wiltz Trahan.

**SENATE CONCURRENT RESOLUTION NO. 36—**

BY SENATORS HAINKEL, BAJOIE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CHAISSON, CRAVINS, DARDENNE, DEAN, DUPRE, ELLINGTON, FIELDS, FONTENOT, GAUTREAU, HEITMEIER, HINES, HOLDEN, HOLLIS, HOYT, IRONS, JOHNSON, B. JONES, C. JONES, LAMBERT, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, ROMERO, SCHEDLER, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO

**A CONCURRENT RESOLUTION**

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Mr. Piet A. Kessels.

Respectfully submitted,  
MICHAEL S. BAER, III  
Secretary of the Senate

**Message to the Governor**

**SIGNED SENATE BILLS**

April 17, 2002

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

**SENATE BILL NO. 42—**

BY SENATORS MCPHERSON AND ELLINGTON AND REPRESENTATIVE WRIGHT

**AN ACT**

To authorize and empower the office of state lands to transfer title to certain property located in Catahoula Parish to the Department of Wildlife and Fisheries for inclusion into the Dewey W. Wills Wildlife Management Area; and to provide for related matters.

**SENATE BILL NO. 76—**

BY SENATOR C. JONES AND REPRESENTATIVES HUNTER, KENNEY AND THOMPSON

**AN ACT**

To amend and reenact Chapter 4-A of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1021 through 1024, relative to the Tri-State Delta Economic Compact; to modify such compact; to provide for an alliance between states; to provide for economic development in regions of poverty and high unemployment; and to provide for related matters.

**SENATE BILL NO. 110—**

BY SENATORS FONTENOT AND HOLDEN AND REPRESENTATIVES HONEY, MCVEA AND STELLY

**AN ACT**

To amend and reenact R.S. 17:64(E) and 72(G), relative to the powers of certain school boards; to authorize the Zachary

Community School Board and the Baker School Board to borrow money to fund budgeted expenditures for Fiscal Year 2002-2003; to authorize the boards to execute notes or other evidences of indebtedness; and to provide for related matters.

**SENATE BILL NO. 114—**  
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 25:315(A), relative to the Louisiana Music Commission; to provide for the domicile of the Louisiana Music Commission; and to provide for related matters.

**SENATE BILL NO. 73(Duplicate of House Bill No. 147)—**

BY SENATOR HAINKEL, AND REPRESENTATIVE LANDRIEU AND COAUTHORED BY SENATORS LAMBERT, BAJOEI, SCHEDLER, HINES, FIELDS, HOLLIS AND JOHNSON AND REPRESENTATIVES CLARKSON, DURAND, ILES, SCHWEGMANN, STRAIN AND WELCH

AN ACT

To enact Chapter 7-A of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1921 through 1927, relative to the Louisiana Cancer Research Center of L.S.U. Health Sciences Center in New Orleans/Tulane Health Sciences Center; to provide for its creation, organization, powers, and functions and for its governance board; to provide for reports and annual audits; to provide for application of certain provisions of state law; and to provide for related matters.

**SENATE BILL NO. 78—**

BY SENATOR C. JONES AND REPRESENTATIVES BALDONE, BRUCE, DEVILLIER, DOERGE, FAUCHEUX, FRITH, HUNTER, M. JACKSON, KENNEY, NEVERS, PINAC, SCHWEGMANN, GARY SMITH AND THOMPSON

AN ACT

To enact Chapter 4-B of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1030 through 1031, relative to the creation of a strategic plan to combat poverty; to provide for economic and tax relief within certain parishes; to provide for the renewal of communities; to provide for criterion; to provide for the office of community programs; to provide for reports to the legislature; and to provide for related matters.

**SENATE BILL NO. 89—**

BY SENATORS CAIN, DUPRE, HOLDEN, IRONS, LENTINI, SCHEDLER, ULLO AND MOUNT AND REPRESENTATIVES DIEZ, CURTIS, DOWNER, ERDEY, FUTRELL, ILES, KATZ, KENNARD, LUCAS AND POWELL

AN ACT

To amend and reenact R.S. 32:409.1(A)(2)(d)(x), 412(A)(4) and (7), (B)(7), and (D)(1) and R.S. 40:1321(A) and (D) and to enact Division 5 of Subpart A of Part VI of Chapter 1 of Title 14 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 14:100.2 through 100.2.3, R.S. 32:412(D)(3)(e) and 414.5, relative to terrorism; to provide relative to driving offenses; to create the crime of operating a motor vehicle without lawful presence in the United States; to provide for definitions; to provide for restrictions on the time within which nonresident aliens may obtain a driver's license; to prohibit a nonresident alien from providing false information to obtain a driver's license; to provide for cancellation of a driver's license and a special identification card under certain circumstances; to provide for penalties; to provide that the issuance of special identification cards by the Department of Public Safety and Corrections to nonresident aliens conform to the requirements for issuing drivers' licenses to nonresident aliens; to prohibit issuance of class "A," "B," or "C" drivers' licenses to nonresident aliens; to

require personal appearance for renewal of class "D" or "E" drivers' licenses or special identification cards by nonresident aliens; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,  
MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the House**

**SIGNED HOUSE CONCURRENT RESOLUTIONS**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 59—**

BY REPRESENTATIVES DOWNER, BALDONE, DARTEZ, TRICHE, AND PITRE AND SENATORS DUPRE AND GAUTREAUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to place mile markers and exit numbers on Louisiana Highway 90 in Terrebonne Parish.

**HOUSE CONCURRENT RESOLUTION NO. 60—**

BY REPRESENTATIVES DOWNER, BALDONE, DARTEZ, TRICHE, AND PITRE AND SENATORS DUPRE AND GAUTREAUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install turning lanes and to further modify the intersection of Barrow Street with Louisiana Highway 182 (old Louisiana Highway 90) with signalization.

**HOUSE CONCURRENT RESOLUTION NO. 64—**

BY REPRESENTATIVES BAUDOIN, ALARIO, E. ALEXANDER, R. ALEXANDER, BALDONE, BAYLOR, BOWLER, BRUCE, CAPELLA, K. CARTER, CAZAYOUX, CLARKSON, CURTIS, DAMICO, DARTEZ, DEWITT, DOWNER, FARRAR, FAUCHEUX, FRITH, FRUGE, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, ILES, JOHNS, KATZ, KENNARD, KENNEY, LAFLEUR, LANCASTER, LANDRIEU, LEBLANC, LUCAS, MARTINY, MCCALLUM, MCDONALD, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, POWELL, PRATT, QUEZAIRE, ROMERO, SALTER, SCALISE, SCHWEGMANN, SHAW, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, STRAIN, THOMPSON, TOWNSEND, TRICHE, WADDELL, WALSWORTH, WELCH, WINSTON, AND WOOTON

A CONCURRENT RESOLUTION

To urge and request all state departments, agencies, boards, commissions, and all other entities to require vendors and service providers to maintain all manner of their operations, as they relate to this state, in the United States, preferably Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 65—**

BY REPRESENTATIVE CAZAYOUX

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Anthony "Tony" Rockforte.

**HOUSE CONCURRENT RESOLUTION NO. 66—**  
BY REPRESENTATIVES DOWNER, BALDONE, DARTEZ, PITRE, AND  
TRICHE AND SENATORS DUPRE AND GAUTREAU

A CONCURRENT RESOLUTION

To commend and congratulate Don Gomez of Houma upon his receipt of a 2002 Governor's Arts Award.

**HOUSE CONCURRENT RESOLUTION NO. 67—**

BY REPRESENTATIVE HUNTER

A CONCURRENT RESOLUTION

To commend the members of the 2002 Carroll High Magnet School Basketball Team for an exceptional season and for winning the 3-A High School Basketball State Championship.

**HOUSE CONCURRENT RESOLUTION NO. 68—**

BY REPRESENTATIVE HUNTER

A CONCURRENT RESOLUTION

To commend the members of the Carroll Junior High Magnet School Basketball Team for an exceptional season and for winning the 2001-2002 USSSA Junior High School Basketball State Championship.

**HOUSE CONCURRENT RESOLUTION NO. 69—**

BY REPRESENTATIVE SCALISE

A CONCURRENT RESOLUTION

To commend the Louisiana State University Fighting Tiger baseball team and the Tulane University Green Wave baseball team for setting the national collegiate baseball attendance record of 27,673.

**HOUSE CONCURRENT RESOLUTION NO. 13—**

BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To authorize a task force established by the Louisiana Workforce Commission to study and make recommendations to certain standing legislative committees, the governor, and the boards and agencies responsible for the delivery or funding of workforce education and training or both, outlining the status of existing skills which will serve as the basis for setting goals and making recommendations for implementation of strategies, activities, and efforts to best prepare Louisiana students for success in the workplace while meeting the needs of businesses and industries across the state.

**HOUSE CONCURRENT RESOLUTION NO. 49—**

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to resurface a portion of Louisiana Highway 335 in Vermilion Parish; to enter the resurfacing project into the Highway Priority Program, and to give the road a high priority rating.

**HOUSE CONCURRENT RESOLUTION NO. 50—**

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to resurface Louisiana Highway 693 from its intersection with Louisiana Highway 335 to its intersection with Louisiana Highway 82 in Vermilion Parish prior to the commencement of the 2003 Regular Session; to request that the resurfacing of Louisiana Highway 693 be added to the Highway Priority Program and receive a high priority ranking.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

**Message from the House**

**SIGNED HOUSE BILLS AND  
JOINT RESOLUTIONS**

April 17, 2002

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 20—**

BY REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 15:255(I), relative to the special witness fee funds in each of the parishes in the Fifth Judicial District; to provide for the transfer of surplus monies in those funds to the criminal court fund of that district court; and to provide for related matters.

**HOUSE BILL NO. 66—**

BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact R.S. 22:173.1(C)(1), relative to annuities; to provide for minimum interest rates; and to provide for related matters.

**HOUSE BILL NO. 84—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:414.2(A)(5) and to enact R.S. 32:414.2(A)(1)(e) and 427(A)(4), relative to commercial motor vehicle drivers; to provide relative to railroad grade crossing violations by commercial motor vehicle operators; to provide relative to certain disqualifications; to provide for civil penalties assessed against employers of such drivers under certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 93—**

BY REPRESENTATIVE HILL AND SENATOR MOUNT

AN ACT

To amend and reenact R.S. 42:66(L)(1), relative to dual officeholding; to allow a deputy sheriff to hold the office of mayor or alderman of a municipality with a population of two thousand five hundred or less; and to provide for related matters.

**HOUSE BILL NO. 136—**

BY REPRESENTATIVE DEWITT

## AN ACT

To enact R.S. 17:3351.5; to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to establish certain program fee amounts and increase certain tuition and attendance fee amounts, including amounts for the School of Allied Health Professions at the Louisiana State University Health Sciences Centers in Shreveport and in New Orleans, the dentistry and medicine programs at the Louisiana State University Health Sciences Center in New Orleans, and the Master of Nursing, Nurse Anesthetist Program of the School of Nursing at the Louisiana State University Health Sciences Center in New Orleans; to authorize proportional amounts for part-time students and for summer sessions; to provide for waivers of authorized amounts in cases of financial hardship; to provide limitations; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 141—**

BY REPRESENTATIVE DEWITT

## AN ACT

To enact R.S. 17:3351.5; to authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to increase tuition and nonresident attendance fee amounts for students in future entering classes at the Paul M. Hebert Law Center; to authorize proportional amounts for part-time students and for summer sessions; to provide limitations; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 146—**

BY REPRESENTATIVE NEVERS

## AN ACT

To authorize and provide for the transfer or lease of certain state property in Washington Parish to the city of Bogalusa from the Department of Health and Hospitals; and to provide for related matters.

**HOUSE BILL NO. 156—**

BY REPRESENTATIVES HILL AND THOMPSON AND SENATOR HINES

## AN ACT

To enact R.S. 36:509(R) and Part XXV of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3087.171 through 3087.185; to create the Allen Parish Reservoir District as a political subdivision and state agency; to provide for a board of commissioners for the district; to provide for the powers and duties of the district including the power to levy taxes and issue bonds; and to provide for related matters.

**HOUSE BILL NO. 157 (Duplicate of Senate Bill No. 109)—**

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN

## AN ACT

To enact R.S. 39:99, relative to tobacco settlement proceeds; to provide relative to the disposition of certain monies accruing to local school boards; to require the state treasurer to enter into contracts to invest such monies on behalf of such school boards; to provide for the obligations of the state treasurer; to provide for the obligation of the school boards; to provide for the required contractual inclusions; and to provide for related matters.

**HOUSE BILL NO. 159—**

BY REPRESENTATIVE JACK SMITH

## AN ACT

To repeal Act No. 142 of the 2001 Regular Session and to authorize and provide for the transfer or lease of certain state property in St. Mary Parish to the Port of West St. Mary from the division of administration; and to provide for related matters.

**HOUSE BILL NO. 162—**

BY REPRESENTATIVE MONTGOMERY

## AN ACT

To amend and reenact R.S. 47:1835(B) and 1838(4), relative to the Tax Commission Expense Fund; to provide that certain unexpended and unencumbered monies shall remain in the fund at the close of each fiscal year; and to provide for related matters.

**HOUSE BILL NO. 167—**

BY REPRESENTATIVE MARTINY

## AN ACT

To amend and reenact R.S. 15:569.1 and 570(C), relative to hours for the execution of death sentences; to amend the hours during which death sentences shall be executed; and to provide for related matters.

**HOUSE BILL NO. 170—**

BY REPRESENTATIVE ALARIO

## AN ACT

To amend and reenact R.S. 39:100.1(B)(3)(a), relative to the Sports Facility Assistance Fund; to define professional sports association or league to include the PGA Tour, Inc.; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 29—**

BY REPRESENTATIVE CURTIS

## AN ACT

To enact R.S. 13:1899(C)(15), relative to the office of the marshal of the City Court of Alexandria; to increase court costs in criminal and traffic violation cases for the purpose of defraying the expenses of office; and to provide for related matters.

**HOUSE BILL NO. 83—**

BY REPRESENTATIVE BRUNEAU

## AN ACT

To amend and reenact R.S. 18:403, 423(E), 424(C)(1), 551(B)(1)(introductory paragraph) and (2), (C), (D), and (E), 553(A), 571, 572(A), 573(A), (B), (C), (D), and (E)(1), 574(A)(1) and (2) and (B)(6), 1300.2(B), 1300.11, 1302(6), 1306(B), (C)(1), and (F), 1307(A)(3), 1308(A)(1)(b) and (2)(b), 1309(E)(2) and (3) and (F), 1310(A), 1311(C)(1), 1313(B), (F)(1), (2), (4), (5), (6), and (9), (G), and (I)(1), (2)(c), (3), and (4), 1315(B) and (C), 1317, 1353(B) and (C)(2) and (3), 1354(C), 1355(16) and (17), 1361(B), 1363(A)(introductory paragraph), 1373(B), 1374, 1376(A) and (B)(1), and 1433; to enact R.S. 18:531.1, 553.1, 1302(7), 1306(G) and (H), 1309(H), 1309.1, 1313(F)(10), 1333(H), 1351(12), 1361(C), 1363(F), 1364, and 1365; and to repeal R.S. 18:1307(F), 1309(E)(4), and Part V of Chapter 8 of Title 18 of the Louisiana Revised Statutes of 1950, comprised of R.S. 18:1391 through 1399, all relative to elections; to provide relative to voting machines and absentee counting equipment; to provide relative to the composition and preparation of ballots; to provide relative to

April 17, 2002

procedures for absentee voting; to provide relative to commissioners and duties of commissioners; to provide relative to polling places; to provide for the retention of certain records; to provide relative to certain election documents which require a handwritten signature; to provide for the powers, duties, functions, and compensation of certain election officials; and to provide for related matters.

**HOUSE BILL NO. 97—**

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2011(D)(22)(c), 2014(D), 2195(B), and 2289.1(D), relative to fees paid to the Department of Environmental Quality; to authorize an increase of fees paid into the Environmental Trust Fund; to authorize an increase of fees paid for accreditation by commercial laboratories; to authorize an increase for underground storage tank registration fees; to authorize an increase in participation fees; to provide for maximum fees; and to provide for related matters.

**HOUSE BILL NO. 132—**

BY REPRESENTATIVES LEBLANC, DEWITT, AND HAMMETT

AN ACT

To amend and reenact R.S. 39:137(A) through (C) and (F) and to repeal R.S. 39:137(E); relative to the Deficit Elimination/Capital Outlay Escrow Replenishment Fund; to provide for use of monies in the fund; and to provide for related matters.

**HOUSE BILL NO. 135—**

BY REPRESENTATIVE STRAIN AND SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 33:172, relative to municipal annexation procedures; to provide relative to annexation procedures in certain municipalities; to authorize the use of operating agreements between certain municipalities and certain parishes to govern annexation procedures; and to provide for related matters.

**HOUSE BILL NO. 165—**

BY REPRESENTATIVE FARRAR

AN ACT

To amend and reenact R.S. 26:271, relative to alcoholic beverage permits; to raise certain permit fees for dealers in beverages of low alcoholic content; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Boissiere	1 Day	Campbell	½ Day
Dean	1 Day	Fields	½ Day

Gautreaux	½ Day	Hainkel	½ Day
Heitmeier	½ Day	Hines	½ Day
Marionneaux	½ Day	McPherson	½ Day
Tarver	1 Day		

**Adjournment**

Senator Chaisson moved that the Senate adjourn sine die.

The President of the Senate declared the Senate adjourned sine die.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk